XIII

REPORT

OF THE

LEGAL REMEMBRANCER TO GOVERNMENT,

N.-W. PROVINCES AND OUDH,

FOR THE YEAR ENDING 30TH SEPTEMBER, 1884.

By G. E. KNOX, Esq., C.S.,

Acting Legal Remembrancer to Govt., N.-W. P. and Oudh.

ALLAHABAD:

NORTH-WESTERN PROVINCES AND OUDH GOVERNMENT PRESS.

1885.

INDEX.

	Pages.
Introductory	1
North Western Provinces	
Numerical results (paras. 8 to 29)	2—5
Classification of cases (paras. 30 to 45)	5—7
Financial results (para. 46)	7
Satisfaction of claims decreed in favor of and against the State (paras. 47 to 55) ...	8
Progress in realizing claims due to the State (paras. 56 to 71)	9—10
Progress in realising claims due in pauper suits (paras. 72, 73)	11
Oudh.	
Numerical results (paras. 74 to 78)	11—12
Classification of cases (paras 79, 80)	12
Financial results (paras. 81, 82)	12
Satisfaction of claims decreed in favor of and against the State (para 83)	12
Progress in realizing claims due to the State (paras 84 to 87)	13
Progress in realizing sums due to the State in pauper suits (para. 88)	13
General.	
Financial results (para 89)	14
Cases pending before Her Majesty's Privy Council (para 90)	14
Appendices.	
A —Abstracts of important cases—	
Government—	
Agra .—Bishambar Nath *versus* Secretary of State	16—18
Hamirpur—Government *versus* Rani Deo Kuar and Diwan Arjun Singh ...	18
Allahabad—Government *versus* Madari Lál	18—19
Ghazipur —Rája Padarath Tiwari *versus* Secretary of State	19
Lucknow —Raja Judai Bikram Sah *versus* Secretary of State for India in Council	19—20
Municipalities—	
Allahabad—Secretary of State for India in Council *versus* Jagan Prasáda ...	20
Court of Wards—	
Mainpuri —Collector of Mainpuri (Sujrai estate) *versus* Musammat Jasodha Kuar and Lál Pokhpal Singh	21—22
Etáwah —Rájah Rup Singh *versus* Rani Baisni and Collector of Etáwah, Court of Ward	22—24
Moradabad—Musammat Kundan Begam *versus* Collector of Moradabad (Munawar Ali Khán's estate .)	24
Ballia —Musammat Masuma Bibi *versus* Collector of Ballia	24—25
I —Suits finally decided by, or pending in, the Court of First Instance ...	26—27
II.—Statement showing the number and result of cases regularly appealed during the year	28—29
III.—Statement showing the number and result of cases specially appealed during the year	30
IV.—Statement of cases disposed of during, or pending at the close of, the year in which the State was originally the plaintiff	31
V.—Statement of cases disposed of during, or pending at the close of, the year in which the State was originally the defendant	32
VI.—Statement showing the progress made in recovering the claims of the State decreed during the year in its favor and in satisfying claims decreed against it ...	33
VII —Statement showing the cost of litigation during the year	34—35
VIII —Statement showing the progress made during 1883-84 in realising the amount of outstanding due to the State at the close of the year 1882-83 on account of claims decreed by the Courts in its favor	36
IX.—Statement showing the progress made during 1883-84 in realizing the amount of outstanding due to the State at the close of the year 1882-83 on account of costs decreed by the Courts in its favor	37
X.—Statement showing the progress made during the year in realizing Government dues in pauper suits	38—39

REPORT

OF THE

LEGAL REMEMBRANCER TO GOVERNMENT,

NORTH-WESTERN PROVINCES AND OUDH,

For the Year ending 30th September, 1884.

No. 362.

FROM

G. E. KNOX, ESQ., C.S.,

Acting Legal Remembrancer to Govt., N.-W. P. and Oudh,

To

J. R. REID, ESQ., C.S.,

Chief Secretary to Government, N.-W. P. and Oudh.

DATED ALLAHABAD, THE 22ND JULY, 1885.

SIR,

I HAVE the honor to submit the annual report upon the civil suits and proceedings to which the Government was a party during the year 1883-1884.

2. The submission of the report has been unduly delayed, but the circumstances are exceptional. The litigation of which the report treats was directed and conducted, as heretofore, by the Board of Revenue. My predecessor, owing to the heavy pressure upon his time which the revision of the rules for the Municipalities in these Provinces entailed, found himself unable to examine the returns sent in from the several districts. Neither of the clerks attached to the office had had any experience in checking and arranging the figures required. The returns themselves are needlessly intricate and involved, and the only clerk whose business it had been to tabulate them in the office of the Board of Revenue had left Government service.

3. I found myself compelled to devote what time I could spare from the current work of the office to reading through the files of the past year. The delays caused by this, and by returning several of the tabular statements for correction will, I trust, account satisfactorily for the late date at which these returns reach you.

4. The important event of the year under review has been the removal of the conduct of State litigation from the office of the Board of Revenue into the hands of a special officer to be called the Legal Remembrancer. The office was created and finally sanctioned by the Secretary of State for India in Council under the order No. 97F of 10th April, 1884. Mr. Stephen Harvey James was the first officer appointed to the post, and he took charge of its duties on the 28th day of May, 1884. Whatever influence this change may have upon the litigation in which Government is directly interested will not appear until the report for the year now current comes to be published. Very little of the year's work over which Mr. James had any control *ab initio* was ripe for decision until after September, 1884.

5. As matters now stand, all suits to which the Secretary of State is a party come direct into the Legal Remembrancer's hands, and, subject to the control of the Government, the Legal Remembrancer has the direction of the suits from first to last. The same procedure is followed by the Court of Wards in Oudh and in many instances by Municipalities.

6. The Court of Wards in the North-Western Provinces prefers a procedure which is more cumbrous. Owing to the delays involved, it must always be attended

with some risk of loss. The immediate direction and control of the suits rests with the Board of Revenue, the Legal Remembrancer's province being confined to advising upon questions submitted to him. In reviewing the litigation connected with the Court of Wards in future this fact will have to be borne in mind.

7. This report being almost entirely confined to suits directed by the Board of Revenue, it has been considered expedient to adhere closely to the lines and forms observed in all preceding reports. My predecessor was of opinion that changes were urgently required so that the forms now in use might be assimilated as far as possible to those in use in the offices of Legal Remembrancers in other provinces. On this point I fully concur, and, from the experience gained in working upon the forms subjoined to this report, hope to introduce fresh tables which, while throwing less labour upon Collectors, will yield all the information required

8 To begin with State litigation in the North-Western Provinces.

The Government would appear at first sight, in comparison with the past years, to have been singularly unsuccessful. The percentage of cases gained in the Courts of first instance has fallen from 92 to 68, that of cases in appeal from 100 to 87. Only one special appeal was decided in the year, and as the State was successful, the table shows under this head a percentage of 100 as against 67 in 1882-83. This last success prevents the total average from falling below 75 as against 91 in the year preceding, when the averages of both Courts, original and appellate, are taken into consideration. The outlook is not, however, so gloomy as might be feared from the figures just considered, for, on a review of the cases lost, it will be found first, that in none of them were involved any points of real importance, and next that from a pecuniary point of view there has been no serious loss.

9. Another fact worth recollecting in this comparison of results is this, that the year 1882-83 was an abnormal one. The normal percentage based upon the figures of five years would be, that of the present year, 75.

10. The Court of Wards has also been unfortunate in comparison with past years, and in their case, the want of success is the more marked, as they were concerned in more cases (93) than the Government and the municipalities combined (75). Both in the Lower Court and in appeal they lost one case out of every four.

11. Municipalities were more fortunate and their annual percentage of success was 77 as against 79 in the year preceding.

12. The results of the year are given in the subjoined table:—

Department litigating.	State, plaintiff or appellant.	State defendant or respondent.	Total.	For the State.	Against the State.	Pending.	Percentage in favor of the State.
I.—Government.							
(a) Courts of first instance ...	7	21	28	13	6	9	68
(b) Regular appeals ...	3	11	14	7	1	6	87
(c) Special appeals ...	1	3	4	1	...	3	100
Total ...	11	35	46	21	7	18	75
II.—Municipality.							
(a) Courts of first instance ...	4	14	18	12	2	4	85
(b) Regular appeals ...	1	7	8	5	2	1	71
(c) Special appeals ...	..	3	3	...	1	2	...
Total ...	5	24	29	17	5	7	77
III.—Court of Wards.							
(a) Courts of first instance ...	39	32	71	43	15	13	74
(b) Regular appeals ...	2	13	15	7	3	5	70
(c) Special appeals ...	...	7	7	5	1	1	83
Total ...	41	52	93	55	19	19	74
Grand Total ...	57	111	168	93	31	44	75

13. I have carefully gone through the cases decided against Government. Out of the six cases which were lost in the Court of first instance, appeals have been preferred in three; with this result, that the appellate Courts have dismissed one of the appeals (a), decided the second in favour of the State (b), and in the third so far modified the decree (c) of the Lower Court as to make that case also virtually a success.

(a) Wazir Ali.
(b) Kazi Ghulam Husain v. Secretary of State.
(c) Bishambar Nath v. Secretary of State.

14. The third case is the only one of real importance. A full account of it will be found in the appendix under Bishambar Nath v. Secretary of State. It decides an important question upon the liability of Railway Companies for goods carried upon free passes.

15. The case of Kazi Ghulam Husain is a suit to establish on behalf of the plaintiff the right to hold as free from rent and revenue payment certain land which has till lately been covered with groves of trees. Owing to the trees having been cleared, the land has been assessed to revenue and a settlement made with one Radha Kishan, a landholder of the village. The Government is concerned only with that portion of the claim which affects the payment of revenue.

The plaintiff holds among his title deeds to the land several sanads from the Nawabs of Farukhabad, and an order from the British Government, dated the 10th November, 1810. This order, after reciting the older sanads, goes on to say that as the holder had presented his sanads for the inspection of Government, as required by Regulation VII, 1808, the lands should continue to be considered revenue-free.

It is upon this order that the whole case turns. The Court of first instance held that the present Government was bound by the admission of its agents in 1810. The Subordinate Judge, on the other hand, doubts the value of this order and its application to the land in dispute. He has therefore put the plaintiff to strict proof of his alleged right to hold revenue-free independently of this order. In trying to establish this the plaintiff failed, but he has since filed a special appeal to the High Court impugning the view held by the Subordinate Judge that the *onus probandi* rests on him.

16. Two of the three cases which were not appealed were compromised out of Court. The third was fought out in the Court of Small Causes at Dehra Dún, and did not consequently admit of an appeal. It was not a case of much moment beyond this, that it illustrated the danger which attends on Government servants dealing with claims upon their own ideas of what is right and proper, and not obtaining legal advice. The effects of a deceased sepoy were distributed by Colonel Turton to the persons whom he considered legal heirs. In this distribution the Colonel unfortunately gave some of the property to one of the so-deemed heirs, who was not entitled by law to any portion of the estate. This portion the State has been compelled to pay a second time to the rightful heirs. It is useless to attempt recovery of the property wrongly given away, as the person to whom it was given turns out to be more or less a pauper, from whom even the costs of the case could not be recovered.

Kishnoo v. Col. J Turton and Secretary of State.

17. The cases lost by municipalities call for little comment. The only one of importance has been fully dwelt upon in the report for 1881-82 (see page 12), and that for 1882-83 (see page 13). The remaining cases were confined to petty disputes, such as about a road-side tree and the retention of a chabutra.

Brij Mohan Singh v. Allahabad Municipality.

18. The Court of Wards was impleaded in 71 cases in the Courts of first instance. In 39 of these suits they appeared as plaintiffs and succeeded in obtaining decrees in their favour in 32 out of the 39. Of the seven in which they failed, two were compromised before judgment was pronounced and two more have been carried to the Appellate Courts. In the three cases left, it was found in one that the papers on which the claim was based were forgeries (1); in the second that the arbitration award out of which the cause of action arose was not supported by credible witnesses (2); and in the third, that the estate (3) was suing upon village papers without any evidence to support the entries contained in them.

(1) Sahanpur Estate *versus* Chagmul Das.
(2) Durga Parshad Estate *versus* Kanhaya Lal.
(3) Dube Estate *versus* Jagmohan.

19. As defendants, the Court of Wards were found liable in eight out of thirty-two suits. Only one of these adverse judgments has been challenged in the Appellate Courts, and there again the Court of Wards failed to get a decision in their favour.

20. Two of the eight suits were compromised before the causes were heard, in three more the claims should have been admitted and were apparently only contested owing to the Board of Revenue having been misled in points of fact by the Collectors who advised action.

21. Two of the suits were connected with obscure points of Hindu and Muhammadan Law, and the remaining case, one by pleaders for fees, would appear to have been rather summarily decreed by the Court of Small Causes at Jaunpur.

22. In the Appellate Courts three regular appeals out of ten and one special appeal out of six were decided against the Court of Wards.

Chit Bahal *versus* Court of Wards
Court of Wards *versus* Mahtab Kunwar

23. Two of the three regular appeals have been carried to the High Court on special appeal and still await final decision.

Kundan Begam *v* Collector, Moradabad.

24. The third was decided in regular appeal by the High Court. It was a suit for dower and depended upon the value that should be attached to the witnesses on either side. No question of law was involved. An account of this case has been given in the Appendix.

25. The special appeal decided against the Court was that of Raja Rup Singh *versus* Rani Baisni and the Collector of Etáwah, decided by the Privy Council on the 22nd of March, 1884.

The decision of their Lordships will be found at page 1 of the 7th volume of the Allahabad Series of the Indian Law Reports. Its leading features have been noticed in the Appendix to this Report. The case is a very interesting one, showing that the principles of the Salic Law were not unknown to the Hindu principalities of Northern India.

26. When the total number of suits filed is considered, it appears small compared with the figures given in the preceding years.

Thus we have in 1878-79	336	suits.
in 1879 80	282	„
in 1880-81	281	„
in 1881-82	231	„
in 1882 83	235	„

The year under review shows only 168 cases, and of these 63 were cases handed down from the preceding year. The explanation lies in the elimination from the totals of the present year a number of miscellaneous applications which do not deserve to be classed as suits.

27. Applications for execution of decrees previously passed, even though they may lead to contest in Court, petitions under Act XL of 1858 and the like should find no place, I would submit, among suits or distinct claims urged for the first time. They might be shown in a separate table with advantage, but they are mere incidental appendages, so to speak, connected with the real litigation of the year.

28. Out of the 168 suits 124 were decided during the year, 93 in favour of, and 31 against the State, the percentage of success being, as has already been shown, 75 against 85 in the preceding year.

29. In the Jhánsi Division, the one case pending from the preceding year terminated in favour of the Government, and as no other case was instituted, the Jhánsi Division retains the high percentage (100) of success gained last year. The subjoined table shows how success varied in the other divisions from 79 in the Allahabad to 50 in the Agra Division. The numbers, however, are so low that it would be impossible to draw any safe conclusion based only upon them. In the Agra Division there were

only ten cases decided in the six districts, of which five were lost, hence the percentage of 50 against the unusually high rate 94 in the year before.

Division.	Number for disposal		For the State.				Against the State.		Pending.	
					Percentage of success.					
	1882 83	1883-84.	1882 83.	1883 84.	1882 83	1883 84.	1882-83.	1883 84.	1882 83.	1883-84
Meerut	25	30	9	18	53	75	5	6	8	6
Agra	82	12	61	5	94	50	4	5	17	2
Rohilkhand	39	57	16	33	87	77	4	10	9	14
Allahabad	44	39	23	23	82	79	5	6	16	10
Benares	38	28	21	13	81	76	5	4	12	11
Jhánsi	7	2	6	1	100	100	...	...	1	1
Total ..	235	168	146	93	85	75	26	31	63	44

30. *II.—Classification.* The next point to be considered is the class of cases. Forty-seven out of the 168 will be found suits to enforce money due under a contract, and fifty-five, suits for a declaration of right to, or to recover possession of real property, making a total of 102. There were only four suits affecting the Government revenue.

31. The total value at which all the 168 claims were assessed comes to Rs. 26,52,309. Out of this amount Rs. 25,58,667 represent the claims to real property, and Rs. 88,216 the suits to recover money or property due under a contract. The rest of the claims, sixty-six in number, did not involve a stake of more than Rs. 6,000. This gives some practical idea of the value of the different classes of suits. If the claims are analyzed according to the departments which they affect, we have—

SUITS TO REAL PROPERTY.

			Decreed in favour.	*Decreed against.*	*Pending.*
Government	...	...	159	329	6,370
Municipalities	...	...	8,373	60	38
Court of Wards	...	...	19,02,824	45,808	5,95,186

SUITS TO RECOVER MONEY, &C., UNDER CONTRACTS.

Government	...	...	3,546	1,380	27,388
Municipalities	..	...	344	...	150
Court of Wards	...	...	16,121	7,658	31,629

32. The sum of Rs. 1,380 exhibited here as decreed against Government is the claim made by Bishambar Nath *versus* Secretary of State (see para. 14 and app.) As has been already shown, this sum was reduced in appeal to Rs. 224, so that the amounts decreed against Government under these important heads are, from a pecuniary point of view, hardly worth noticing.

33. There is one case pending which must not be passed over. It is a claim by Government for Rs. 26,738 laid against one Madari Lal. The claim arises out of a contract between the Collector of Allahabad and one Kalka Pershad of Cawnpore for the construction and maintenance of the bridge of boats erected annually at Rajghát on the river Ganges at Allahabad. Prior to 1873 this bridge had remained under Government management, and the contractor bound himself to purchase the Government plant for a sum of Rs. 65,000. This sum was to be paid in six instalments, five equal annual instalments of Rs. 6,500 payable on the 20th day of June in each year, and a final instalment of Rs. 32,500 to be paid on the 30th of September, 1878.

The first four instalments were duly paid by or on behalf of Kalka Pershad, and the present suit is for the balance, one instalment of Rs. 6,500, plus the final instalment of Rs. 32,500, or Rs. 39,000. From this total has been deducted a sum of Rs. 2,500 due from Government to the contractor, and a second sum of Rs. 10,900, the value of the plant at the bridge, as found by arbitrators when Government took

it back into its own hands, the period for which the contract had been entered into having expired. The net claim is thus one for Rs. 15,600 or with interest Rs 26,738.

The suit is laid against Madari Lal and not against Kalka Pershad, as the latter has been found to be merely the agent and servant of Madari Lal, and Madari Lal has derived all the profit that was to be got out of the contract.

The defence raised is that there is no cause of action disclosed against defendant; that the Government acted illegally in taking possession of the boats and bridge material before the contract terminated; that the allegation as to arbitration is incorrect; that the plant and material have been far undervalued; and that the claim for interest is untenable.

The case is now pending before the Subordinate Judge of Allahabad.

34. It will be seen that the Court of Wards lost five claims brought by it to property valued at Rs. 45,808. The most important of these was the case brought by the Sahanpur Estate *versus* Chajmal Das (see above para. 18) for the redemption of nine villages situate in pargana Najibabad. The villages were originally part of the Sahanpur Estate, but had passed to Chajmal Das under an alleged deed of conditional sale. This claim in itself accounts for Rs. 41,045 out of the Rs. 45,808 above mentioned.

35. There remains a claim valued at Rs. 4,000, brought by the Majauli Estate in Gorakhpur against Baghesh Datt Misser and another.

The facts connected with this case are that the Majhauli Estate had secured a decree for the ejectment of certain tenants holding under a tenure at fixed rates. Baghesh Datt Misser and his co-defendant laid claim to the tenure under a deed of sale in their favour from the tenants aforesaid. The Collector of Gorakhpur was prepared to give the defendants possession on the strength of a promise by them that they would pay the amount due under the decree obtained against the tenants. This amount was never paid and possession was never given.

In the interim Baghesh Datt and the second defendant obtained possession under the deed of sale which they held, and the present suit was instituted to recover possession.

A precisely similar claim had been instituted between the same parties and had been fought up to the High Court at Calcutta. On that High Court pronouncing in favour of the defendants upon a technical plea of limitation, the Board of Revenue directed that this claim should also be compromised. This was accordingly done on the 16th of February, 1884.

36. The remaining three cases were for petty properties and need not be noticed.

37. The claims pending adjustment are shown to amount to Rs. 5,95,186. The only important claim is that of Shib Lal and others *versus* Chandi Din and Mashuk Mahal Begam's estate, Bareilly, value Rs. 5,90,240. Shib Lal and his co-plaintiffs claimed to be the proper and lawful heirs of one Chaudhri Naubat Ram and to recover the estate from the defendant, Chandi Din alleged by plaintiffs to be a more remote heir, and his vendee, the Nawab Mashuk Mahal Begam, a disqualified proprietor under the Court of Wards.

The case has since been compromised, the plaintiffs making over part of the property claimed to the Collector of Bareilly on behalf of the ward Nawab Mashuk Mahal Begam. These last facts, however, belong to the report of the year 1884-85.

38. The Court of Wards were successful in sixteen cases, valued altogether at Rs. 19,02,324. Out of these may be selected for report—

		Rs.
(1)	Masuma Bibi and Ahmad Khan *v.* Collector, Ballia ...	12,25,000
(2)	Rani Bindeshri Koer *v.* Collector, Mirzapur ...	6,36,108
(3)	Collector, Mainpuri, (Sajjrai Estate) *v.* Musammat Jasoda Koer,	25,000
(4)	Collector, Jaunpur, (Bhagasi Estate) *v.* Gajraj Singh and others,	5,067

39. The first of these was mentioned last year (at page 4 of the report) and is better known as the Sunwani estate case. The plaintiffs' aim was to prevent the Collector of Ballia from completing a sale of the estate which, with the consent of the Board, he had effected. The claim was decreed in favour of the estate: the decision has been appealed against, and the appeal is still pending in the High Court. The case is reported further in the appendix.

40. The second case is also shown in last year's report (p. 4). If was a suicidal contest between the present Rani and the Dowager Rani of Barhar. Under the good offices of the Rani of Bijaypur and the young Raja of Majhauli who acted as mediators, the claim was withdrawn and the plaint dismissed.

41. The third case finds mention at page 3 of last year's report, and a further account of it will be found in the appendix. It is sufficient here to say that it was a claim to set aside an alleged adoption, and that the claim was decreed in favor of the estate by the Court of first instance: the decision has been appealed against and the appeal is still pending in the High Court.

42. The claim of the Bhagasi Estate was one in which a minor ward under the Court of Wards with other shareholders, as co-plaintiffs, prayed for recovery of proprietary possession over a 2 anna 8 pie share out of the village of Khanjahanpur. It was an ordinary suit for possession under a conditional sale and decreed in favour of the plaintiffs on the 3rd of May, 1884.

43. Six claims to recover money due under a contract go together to make up the total shown of Rs. 7,658, and none of them are sufficiently important to call for separate notice.

44. The claims pending, are valued at Rs 31,629 and are four in all. One claim alone is responsible for Rs. 21,777 of this amount. It is an appanage, so to speak, of the case Chaudhri Shib Lal *v* Chandi Din and Nawab Mashuk Mahal Begam (para. 37.) The amount represents debts incurred by Chaudhri Naubat Ram and his successors in interest, for which debts Chaudhri Shib Lal and his co-plaintiff sought to make the Court of Wards responsible. One of the conditions upon which the main suit was compromised was that the Court of Wards should be freed from all responsibility connected with these same debts, and the claim may therefore be considered as having been settled in favour of the Court.

45. A second claim for Rs. 8,395 is that of Jai Dayal *versus* the Sambalhera Estate. It was based upon a Promissory Note given by Amir Husain the owner of the Sambalhera Estate, now deceased, and was so clearly not worth defending that instructions were given to confess judgment.

46. III.—*Financial.*—The aggregate amount of the litigation in which the State appeared as plaintiff during the year was Rs. 1,18,897 : the larger total of Rs. 25,33,412 stands for the claims prosecuted by private parties against the State. As plaintiff, the State lost more than it gained, as the subjoined table shows. In fact, the one case in which the Sahanpur Estate made such an unfortunate venture alone represents Rs. 41,045. The loss here is in some measure compensated by the success with which the cases brought against the State were defended, for in these suits not more than 4 per cent. of the amount claimed was recovered.

Tabulated, the financial results are as follows :—

	Claimed by the State.				*Claimed against the State.*			
	Government.	Municipality.	Court of Wards.	Total.	Government.	Municipality.	Court of Wards.	Total.
	Rs.	Rs	Rs.	Rs.	Rs.	Rs.	Rs.	Rs.
Claimed ...	27 349	5,864	85,684	1,18,897	15,139	3,121	25,15,152	25,33,412
Decreed ...	339	5,689	35 781	41,809	2 031	55	6,756	8,842
Dismissed ...	...	25	48,625	48,650	6,064	3,028	18,82,789	18,91,881
Pending ...	27,010	150	1,278	28 438	7,044	38	6,25,607	6,32,689

47. *IV.—Satisfaction of claims decreed in favour of and against the State.*

The progress made under this head will be easiest seen from the subjoined table.

	Decreed.	Recovered.	Percentage of recoveries.	Remitted	Balance.			
					Recoverable.	Irrecoverable.	Doubtful.	Total.
	Rs.	Rs			Rs.			Rs.
Government ...	340	37	10	...	303	...	...	303
Municipality ...	2,995	301	10	...	2,694	...	...	2 694
Court of Wards,	5,640	189	3	...	5,451	...	...	5,451
Total ...	8,975	527	5	...	8,448	...	...	8,448

48. The actual moneys decreed during the year in favour of the State amounted to Rs. 8,975. Of these moneys only Rs. 527 was recovered. The percentage of recoveries was very poor, 10 per cent. in the case of Government and the Municipalities, and only 3 per cent. in the case of the Court of Wards.

49. Of the amount Rs. 303 due to Government Rs. 242 is due on account of a claim decreed in October, 1883. The Collector considers it still recoverable, and is making efforts to ensure its recovery.

The balance Rs. 61 is due from Fatehpur on account of a claim decreed in June, 1884. The Collector returns it as recoverable.

50. The balance shown under municipalities is composed of two items. In each case the decree is under appeal and the Collector has purposely refrained from any attempt to realize. Both items can easily be recovered whenever necessary, as the judgment-debtors are men of wealth and position.

51. The items under the Court of Wards are the most unsatisfactory. There is no apparent reason or explanation given why they should not all of them have been recovered. They belong to the following districts :—

Meerut	... Rs. 2 510	Shâhjahânpur	... Rs. 254
Moradabad	.. „ 1,377	Badaon	... „ 105
Mainpuri	... „ 688	Bijnor	... „ 75
Gorakhpur	... „ 612	Jaunpur	... „ 12
		Azamgarh	... Rs. 7

52. The sums decreed against the State were :—

Government ... Rs. 791 | Court of Wards ... Rs 24,455

53. The total outstandings due by the State on decrees passed against it in previous years on the 1st of October, 1883, were Rs. 2,90,420, the amount decreed during the year against it was Rs. 25,246, making a total of Rs. 3,15,666. Of this amount Rs. 2,70,625 have been paid, and there remains a balance of Rs. 45,041 to be accounted for.

Of this balance Rs. 7,935 is due from Government and Rs. 37,106 from the Court of Wards.

Rupees 7,160 out of the Rs. 7,935 is money decreed in the case of Bansi Lal *versus* Secretary of State. An appeal has been presented against the decision in the High Court, and payment is delayed until the result is known.

Rupees 322 was retained by the Superintendent of Dehra Dún in the case of Kishnoo *versus* Colonel Turton and the Secretary of State, as a special appeal had been filed from the decision of the Court at Dehra Dún.

54. The estate of Kazi Muhammad Abbas is responsible for Rs. 25,167 out of the balance shown against the Court of Wards. There is no money at the credit of the estate, but a loan has been negotiated, and this sum will then be liquidated.

55. Rupees 2,557 is due from the Sambalhera estate, and would have been paid, but for an attachment order issued against it by the Civil Court.

56. *V.—Cost of litigation and progress in realizing the costs awarded in favour of the State during the year.*

The several details connected with this head will be found grouped together in the table now annexed :—

	Costs disbursed.			Costs awarded in favour of the State, including interest.	Recovered.	Remitted.	Balance.	Analysis of balance.		
	In prosecution and defence of cases.	On account of opponents, costs.	Total					Recoverable.	Irrecoverable.	Doubtful.
	Rs.	Rs.	Rs.	Rs.	Rs.	Rs	Rs.	Rs.	Rs	Rs.
Government ...	3,460	143	3,603	1,295	807	1	487	286	46	155
Municipality ...	327	400	727	1,055	229	...	826	818	...	8
Court of Wards ...	14,427	5,282	19,709	6,318	978	19	5,321	5,029	145	147
Total ...	18,214	5,825	24,039	8,668	2,014	20	6,634	6,133	191	310

The total amount disbursed on litigation during the year was Rs. 24,039. Rupees 8,668 were costs awarded during the same period by the Courts, and Rs. 7,977 were recovered on decrees passed in favour of the State in past years.

57. Out of the Rs. 3,460 disbursed by Government, Rs. 535, spent at Ballia in the suit of Babu Ram Ugar Singh *versus* Government, is beyond recovery as the Government were defeated. The same may be said of Rs. 145 expended at Agra in defence of the suit of Bishambarnath *versus* Secretary of State (para. 14). The rest will probably be recovered, when the suits in which they have been incurred come to be decided. The heaviest item is one of Rs 917, disbursed in the case of Secretary of State *versus* Madari Lal. (See para. 33.)

58. The municipalities have not suffered. They disbursed in a body Rs. 727 during the year and recovered decrees for Rs. 1,055.

59. Of the Rs 807 awarded to Government by the Courts, Rs. 487 were outstanding at the close of the year. The Collector of Moradabad considers Rs. 148 of this recovered in a decree against Kanhaiya Lal and Durga Pershad, lessees of the Ram Ganga ferry, doubtful. The rest is reported as recoverable.

60. The costs disbursed by the Court of Wards are distributed over a number of cases. Out of the balance Rs. 5,321 left unrecovered, Rs. 2,980 is accounted for by three cases under appeal. Many items more stand over for the same reason, and only Rs. 147 is shown as doubtful.

61. In recovering sums outstanding and due to the State there was no improvement upon last year. Government recovered 10 per cent. and the Court of Wards 13 per cent.

62. There is no doubt that an important part of the Legal Remembrancer's work will be to see that more is recovered upon the decrees issued in favour of Government than has hitherto been done. The subject will receive particular attention at once, and it is hoped the report for the current year will show some improvement in this respect.

63. Rupees 40,576 are shown as still due to Government, as the following table shows :—

	Total outstanding.	Recovered.	Percentage of recoveries		Remitted.	Balance.	Analysis of balance.		
			1882-83.	1883-84.			Recoverable.	Irrecoverable.	Doubtful.
I.—Government.									
Claims	38,041	2,386	4	6	958	34,697	28,760	797	5,140
Costs	8,663	2,636	19	30	148	5,879	5,135	57	687
Total ...	46,704	5,022	7	10	1,106	40,576	33,895	854	5,827
II.—Municipality.									
Claims	846	12	18	1·4	...	834	834	...	...
Costs	164	72	61	43·0	7	85	85	...	...
Total ...	1,010	84	25	8 0	7	919	919	...	...
III.—Court of Wards.									
Claims	91.245	6,308	14	6	13,048	70,989	33,590	4,457	32,942
Costs	28,159	10,071	8	35	2,002	16,086	6,706	861	8,519
Total ...	1,19.404	16,379	13	13	15,950	87,075	40,296	5 318	41,461
GRAND TOTAL ...	1,67,118	21,485	12	12	17,063	1,28,570	75,110	6,172	47,288

64. Rupees 9,996 are due from Major-General Thelwall. An account of this debt will be found at page 6 of the report for last year. No portion of this debt has been recovered. The apparent diminution is owing to the discovery during the year that a portion of Rs. 10,092, *viz.* Rs. 106, had to be set off against costs to which General Thelwall was under the decree entitled. Attempts were made to recover from the liquidator of the Markham Grant, Dehra Dún, but there was nothing to recover. The decree has now been forwarded to the Secretary of State for realization from General Thelwall in England.

65. Rupees 1,671 are due in the suit of Government *versus* Captain Hearsey (this case was reported on in the report for 1882-83, see page 5 para. 8). This sum is simply irrecoverable, and will have to be written off.

66. Rupees 5,518 belong to the districts of Moradabad. Rupees 3,485 of this is due from the lessees of the Ram Ganga ferry, and will have to follow the money due from Captain Hearsey. It is equally beyond recovery. The balance is due in other cases, and it seems likely the whole of it may be recovered.

67. The balance left unrealized and still due to the Court of Wards is Rs. 87,075.

The districts which have the heaviest balances still to recover are:—

Allahabad ...	Rs. 33,115	Bijnor ...	Rs. 4,874
Muttra ...	Rs. 20,849	Sháhjahánpur ...	Rs. 3,547

68. The whole of the Allahabad item is due from Babu Madho Pershad and Sadullah to Partab Chand's estate. It is very doubtful whether this item will be recovered. An account of it is given in last year's report (page 7).

69. The Rs. 20,849 in Muttra is due to Hardeo Pershad's estate from Bhajan Lal and Chandrabhan. The story of this case will be found in the Court of Wards Report for 1881-82 (page 23).

70. The sum Rs. 4,874 is composed of two items, Rs. 1,043 and Rs. 1,405 due to the Sherkot estate, and of several other smaller items.

71. The Board of Revenue remain responsible for the recovery of these outstandings. The Legal Remembrancer is not consulted, so far as my experience goes, in any of the attempts to recover them.

72. VI.—*Government dues in pauper suits.*

The balance due on this account was Rs. 19,319. During the year a further sum of Rs. 23,406 were decreed, making a total of Rs. 42,725. Of this Rs. 8,645 were recovered and Rs. 13,936 were remitted, leaving a balance due of Rs. 20,144.

73. The percentage of recoveries on realizable sums was 20 per cent. as against 23 per cent in the previous year. For each division they were as follows :—

Division.	*Percentage.* For 1882-83.	For 1883-84.
Meerut	42	31
Agra	12	37
Rohilkhand	16	20
Allahabad	11	23
Benares	22	32
Jhánsi	36	43

Explanation of the balances over Rs. 1,000 will be found in appendix 10.

Oudh.

74. *Numerical results.*—The figures connected with litigation in Oudh are as follows :—

	State plaintiff or appellant.	State defendant or respondent	Total.	For the State.	Against the State.	Pending.	Percentage in favor of the State.
I.—Government.							
(a) Courts of first instance ...	12	15	27	20	1	6	95
(b) Regular appeals	2	3	5	5	...	...	100
(c) Special appeals	...	1	1	...	...	1	...
Total ...	14	19	33	25	1	7	96
II.—Municipality.							
(a) Courts of first instance ...	2	1	3	2	...	1	100
(b) Regular appeals	...	...	...	...	...	...	...
(c) Special appeals	...	...	...	...	...	...	...
Total ...	2	1	3	2	...	1	100
III.—Court of Wards.							
(a) Courts of first instance ...	...	...	...	...	...	...	...
(b) Regular appeals	...	...	...	...	...	...	...
(c) Special appeals	...	...	...	...	...	...	...
Total ...	...	...	...	...	...	...	...
Grand Total, Oudh ...	16	20	36	27	1	8	96

75. In contrasting the Oudh returns with those for the North-Western Provinces it must be borne in mind that the litigation conducted by the Court of Wards is completely absent. The bulk of the suits in the North-Western Provinces falls under this head, and this reason will account for the Oudh returns appearing so meagre.

76. There were 36 suits disposed of during the year; in 14 the State was plaintiff, and in 19 defendant. In two more the Municipality of Fyzabad was plaintiff and in a third the municipality of Unao defendant.

Eight of the suits remained pending at the close of the year. Of the remaining 28 all but one were decided in favour of the State or the municipalities concerned.

77. The one case lost was that of Raja Ramnath Singh *versus* Nazúl Department, Fyzabad.

The claim was for declaration of right in respect of 10 bighas 10 biswas 10 biswansis 5 kachwansis of land situate in Ajjudhya. The Lower Court granted the plaintiff a decree for declaratory decree in respect of seven tamarind trees only, and even this relief was refused when the matter was carried into the Appellate Court. In regular and special appeal not a single suit was decided against the State.

78. The litigation in the four divisions is given in the subjoined table :—

	Number for disposal.		For the State.				Against the State.		Pending.	
					Percentage of success.					
	1882-83.	1883-84.	1882-83.	1883 84.	1882-83.	1883 84.	1882-83.	1883 84.	1882 83	1883-84.
Lucknow	16	15	15	13	94	100	1	...	...	2
Sitapur	2	2	2	1	100	100	...	...	...	1
Fyzabad	12	12	8	7	73	87	3	1	1	4
Rae Bareli	2	1	...	1	...	100	2	...	...	...
Total ...	32	30	25	22	81	95	6	1	1	7

79. Out of the 36 suits for disposal during the year eight were for the recovery of property and 13 for money due under a contract.

80. There were eight suits affecting the exchequer, being mainly for the removal of land from the Nazúl Department.

81. III.—*Financial results.*—The results given in the following table are very favorable. The large item shown as dismissed consists of—

(*a*) Rupees 29,700, being the claim brought by Munshi Syad Ali Muhammad Mujtahad-ul-Asar *versus* Government, for the recovery of Promissory Notes and immoveable property, which Government had escheated and which plaintiff claimed under an alleged verbal will in his favour.

(*b*) Rupees 4,000, a suit brought by Rajjab Bhatiyara *versus* Nazul Department, being a claim brought to occupy free of rent the Sarai Hassan Raza at Fyzabad.

	Claims by the State				Claims against the State.			
	Government.	Municipality	Court of Wards.	Total.	Government.	Municipality.	Court of Wards.	Total.
Claimed	1,336	302	...	1,638	34,775	24	...	34,799
Decreed	403	302	.	705	59	...	...	59
Dismissed	...	...	...	...	34,314		...	34,314
Pending	933	...	...	933	402	24	...	426

82. In the claims Government brought they won every suit, and in those in which they were arrayed as defendants the amount lost does not amount to 1 per cent on the amount claimed. The Municipalities, as shown before, were successful in every case.

83. IV. *Satisfaction of claims and costs including interest decreed in favour of the State.*

The Government has collected 41 per cent. of the sum adjudged due to them in the past year and the Municipalities 88 per cent. This, compared with the results in

the sister province, is eminently satisfactory. There is no large sum outstanding, and the greater part of what is outstanding is recoverable.

	Decreed.	Recovered.	Percentage of recoveries.	Remitted.	Balance.			
					Recoverable.	Irrecoverable.	Doubtful.	Total.
Government.								
Claims	373	144	38	...	199	...	30	229
Costs	96	50	52	...	38	...	8	46
Total ...	469	194	41	...	237	...	38	275
Municipality.								
Claims...	302	266	88	...	36	...	...	36
Costs	43	36	83	...	7	...	...	7
Total ...	345	302	88	...	43	...	...	43
GRAND TOTAL ...	814	496	60	...	280	...	38	318

84. With the collection of past outstandings the Government has not been so fortunate. Last year the realizations reached 10 per cent. This year they are but little over 7 per cent.

	Total outstandings.	Recovered.	Percentage of recoveries.		Remitted.	Balance.	Analysis of Balance.		
			1882-83.	1883-84.			Recoverable.	Irrecoverable	Doubtful.
I.—Government.									
Claims	25,545	1,367	9	5·3	...	24,178	23,240	11	927
Costs	2,310	729	12	31 5	...	1,581	1,499	8	74
Total ...	27,855	2,096	10	7·5	...	25,759	24,739	19	1,001
II.—Municipality.									
Claims	...	...	...	...	...	...	...	...	...
Costs	20	...	26	0·0	20	...	...	...	...
Total ...	20	...	26	0 0	20	...	...	...	...
GRAND TOTAL ...	27,875	2,096	9	7·5	20	25,759	24,739	19	1,001

85. Of the amount shown as still outstanding, Rs. 25,739, Rs. 18,100 is due from Mohan Lal. The case is pending in Her Majesty's Privy Council.

86. Rupees 2,325 is still due from one Muhammad Amin. Rupees 7,926 have been realized on this account in previous years, and Rs. 1,000 in the present year, so that there is fair hope of its recovery.

87. Rupees 911 are due from the debtor Mangru mentioned in last year's report, page 10. The judgment-debtor is said to be a man of means, but has so disposed of his property, that nothing can be discovered.

The abovementioned sums are exclusive of interest and costs. Interest, when added, will account for almost all that is due.

88. VII.—*Pauper Suits.* The amount outstanding on 30th September, 1883, was Rs 5,263. During the year Rs. 3,456 more fell due, making a total of Rs. 8,719. Of this Rs. 3,855 was realized, Rs. 2,660 more were remitted, and the balance now due is Rs. 2,204. The dues outstanding in Lucknow are the heaviest.

Lucknow, however, recovered	... Rs.	47 per cent.
Sitapur	... „	35 „ „
Fyzabad	... „	26 „ „
Rae Bareli	... „	60 „ „

89. The general financial results of the year's litigation in the two provinces is as follows :—

NORTH-WESTERN PROVINCES.

	Rs.	Rs.
Claims recovered by the State	527	
Costs	2,014	
Outstanding	16,379	18,920
Claims paid by the State	2,70,625	
Costs	24,098	2,94,714
Net loss to the State	2,75,794	

OUDH.

	Rs.	Rs.
Claims recovered by the State	410	
Costs ditto	86	
Outstandings ditto	2,096	2,592
Claims paid by the State	*Nil.*	
Costs	5,202	5,202
Net loss to the State	...	2,610

90. Two cases are pending before Her Majesty's Privy Council, *viz.*—

Secretary of State *versus* Mohan Lal, treasurer, District Lucknow. (L. R. Report for 1881 page 9.)

Raja Indor Bikram Singh of Khairagarh *v.* Secretary of State. (See Appendix A.)

91. VIII.—Abstracts of important cases decided during the year will be found in Appendix A.

I have the honor to be,

SIR,

Your most obedient servant,

G. E. KNOX,

Acting Legal Remembrancer to Govt., N.-W. P. and Oudh.

APPENDICES.

APPENDIX A.

GOVERNMENT.

AGRA.

Bishambar Nath *versus* Secretary of State.

THIS case is one in which the Railway Companies in India are more than ordinarily interested. The point at issue was, how far a Railway Company is liable for goods, conveyed on a free pass over and above the goods for which such pass was intended, and lost in transit.

The Lower Court considered the Railway authorities responsible for all the goods which the Railway Company did, as a matter of fact, accept for carriage under the pass. The Court of Appeal limited liability to the value of the goods for which the pass had been intended and dismissed the rest of the claim.

The facts of the case are simple enough.

Mr. Jacob, District Traffic Superintendent of the Rajputana Railway, Agent for the appellant, gave the respondent (Bishambar Nath) a memorandum couched in the following terms:—

"Pass under free service way-bill one lot of cloth from Delhi to Agra with Bishambar Nath, tailor, travelling under Free Pass No. 1. E. F. Jacob."

Together with this memorandum of free pass, the respondent delivered to the station-master and goods clerk at Delhi, for carriage to Agra, a package weighing about five maunds, and containing the following articles:—

Cashmere, double width	50 yards.
Do. single	344¾ „
Black broad cloth (*Bandth*)	50 „
Jute flannel	179½ „
Serge, red	one piece.
Yellow khallas	five pieces.
Drab merino	215 yards.
Handkerchiefs	10 dozens.
Unbleached calico	one piece.

The package was lost in transit, and the Lower Court passed a decree in favour of the respondent for the invoice value, Rs. 1,379-8-9.

In appeal it was urged that the respondent perpetrated a fraud in respect of the carriage of this package; that while Mr. Jacob agreed to carry free of cost a lot of drab merino only, intended for the uniform of native station-masters and assistant station-masters, the respondent with intent to defraud the appellant of the proper freight, included in the package a large quantity of other articles which Mr. Jacob never consented to carry.

The District Judge held that upon this plea, which was raised in the lower Court, it was incumbent upon the appellant to show that the free pass was given in pursuance of the agreement between the parties for the sole purpose of bringing merino cloth. The lower Court had properly held that the contract was one of gratuitous bailment. Mr. Jacob alone of the persons engaged in the transaction had authority to give a free pass, and, admittedly, he it was who, after ascertaining from the Respondent the circumstances of the case, wrote and gave the memorandum. Accordingly in determining this plea the District Judge held he must look first to what took place between the respondent and Mr. Jacob.

Mr. Jacob deposed that on the 4th November, 1881, Mr. Harris brought to him one Lachman or Kesho, with Bishambar Nath, the respondent's brother, respondent. He made with them arrangements for the supply of drab merino *chapkans* as

uniforms for about thirty native station-masters and three assistants in anticipation of the journey of the Viceroy over a portion of the line, which journey was expected about the 16th of the same month. Bishambar Nath said he could not procure the particular material at Agra, but would complete the suits if Mr. Jacob would give him a pass for himself and a bundle of cloth from Delhi. Then Mr Jacob wrote and gave the memorandum of free pass.

Mr. Jacob further deposed that he gave the pass "simply to secure the uniforms in time," that is, before the arrival of the Viceroy. He denied that there was any arrangement made between himself and Bishamber Nath for the supply of uniforms to the European staff, and informed the lower Court that although Bishambar Nath was not distinctly told that he was not to bring any other article on the authority of the pass, yet "there was no mention of any other article except the merino at the time the pass was granted. The pass was given only when the plaintiff stated that he could not procure the merino in Agra."

Bishambar Nath said little or nothing in his examination-in-chief as to the contract of bailment made with Mr. Jacob; indeed, he professed to consider the memorandum of pass a mere letter to secure the more rapid transit of the package from Delhi to Agra. He however stated that Mr Jacob required cloth for the uniforms of the subordinate railway staff, European as well as native.

"Mr. Jacob he continued, "gave me the order to prepare the uniforms on the 9th or 10th November, 1881. There was no agreement as to the date by which the uniforms were to be prepared. I had a letter from Mr. Jacob, which I delivered to the station-master at Delhi. That was the memorandum of free pass." In cross-examination he said "I was not informed of any particular reason for the making of the uniforms. I was not told of the time within which the uniforms were to be made."

"Mr. Jacob gave me a pass (for himself). He gave it of his own accord. I told Mr. Jacob that there was a crowd at Delhi, and that goods could not be brought soon. He therefore gave me the letter. The crowd was owing to the *Lord Sahib* being about to come."

The appellant's case rested mainly, the Judge continues, upon the evidence of Mr. Jacob and such support as it may derive from circumstances. Why should the free pass have been granted? "The Secretary of State," the Judge writes, "does not supply uniforms to the employés of the Rajputana Railway at the public cost, and we take it for granted that, ordinarily the clothiers who supply these uniforms bear the cost of the carriage of the materials to their own shops. Why was there any departure from the ordinary course? The evidence of Mr. Jacob supplies an explanation: new uniforms of a particular material were required for native station-masters so that they might present a decent appearance before the Viceroy. The respondent's firm, who were to make the uniforms, had an insufficient quantity of the selected material. The respondent said he could procure more from Delhi by going in person if a free pass was given him. The affair was urgent, and a free pass for himself and another for the cloth required were given."

"A particular material urgently wanted by the railway authorities might be entitled to a free pass, but a large quantity of broadcloth and cashmere, red serge and even pocket handkerchiefs, which were assuredly procurable by the guards and ticket collectors in Agra, if they wanted them, and which according to the respondent's own statement were not required by any particular date or for any particular occasion, would assuredly not have been permitted to travel except on payment of ordinary freight."

"The circumstances, in my opinion, strongly support the evidence of Mr. Jacob and warrant belief in the accuracy of his recollection of material facts. The Lower Court argues that the weight of the quantity of grey merino required would not have exceeded 15 seers, and could have been carried free of charge without a pass, as part of the respondent's personal luggage. But, if the Traffic Manager wished

the respondent to proceed from Agra to Delhi and back on urgent business of the Railway Department, he could hardly expect him to forego the usual privileges of a passenger or to dispense with cooking vessels and a change of raiment in order that he might carry without a pass the package required by the Traffic Manager. I hold that the agreement between the respondent and Mr. Jacob was restricted to the carriage of merino, and that nothing was said between them as to the carriage of any other article, and that the respondent could not have believed in good faith that he was entitled to bring free of charge large quantities of cashmere, broadcloth, red serge, pocket handkerchiefs, &c. I have, in fact, no doubt that he took the opportunity of endeavouring to stock his shops without paying carriage, and distinctly attempted to defraud the Railway Department. The agreement between Mr. Jacob, however, and the respondent, as far as it went, was not induced by fraud and is not voidable. The position is simply this: the respondent fraudulently attempted to have carried by the Railway a quantity of goods to which no contract had been made. The appellant is liable for the value of the merino lost, but not for the value of other articles "

"The appeal is accepted, and order of the lower Court modified. The appellant will pay to the respondent Rs. 221 only, with proportionate costs in both Courts."

HAMIRPUR.

Government *versus* Rani Deo Kuar and Dewan Arjun Singh

The facts of this case were duly reported in the report for 1882, pp. 10 and 11. The appeal, which is there noted as having been preferred to the High Court, was dismissed with costs on the 3rd day of December, 1883, with no further remark than that the grounds of appeal failed.

ALLAHABAD.

Government *versus* Madari Lal

The claim in this case is for Rs. 15,600, the balance due under a lease given to one Kalka Pershad. The lease covered the collections made at the bridge of boats connecting Allahabad with the village of Jhusi, and was for five years, running from the 24th October, 1873. Prior to this lease the bridge of boats had been maintained by Government, and the lessee bound himself to take over the plant which had hitherto been Government property.

One of the stipulations in the lease was that the lessee should pay for the plant the sum of Rs. 65,000 by five equal instalments, the first in June, 1874, the last in June, 1878, with a final instalment of Rs. 32,500 on 30th September, 1878.

On the other hand, Government was to pay to the lessee Rs. 25,000 annually for the construction and maintenance of the Rajghát bridge. This was to be paid in two equal instalments, one on completion of the bridge, and the other on the dismantlement of the bridge, minus the last payment of Rs. 6,500 due from the lessee, which was mentioned above.

The lessee paid the first four instalments regularly, but he did not pay the fifth instalment due in June, 1878, nor the final instalment of Rs. 32,500, due on 30th September, 1878. Government, on the other hand, paid to the lessee the amount agreed on, with the exception of Rs. 12,500, half of the last annual payment.

Kalka Pershad, the lessee, died on the 1st July, 1878, and was represented by his son, Bhairon Prasad. On the expiry of the lease, as it was not intended to renew it, arbitrators were appointed, as stipulated in section 17 of the lease, to determine the value of the lessee's plant, with a view to Government taking it over. It was fixed Rs. at 10,900.

The lessee was found to owe to Government Rs. 15,600, but it was found impossible to recover this amount from Bhairon Prasad.

After the termination of the lease the Collector discovered that Kalka Prasad was merely a "man of straw;" that he was really the agent of Madari Lal, a local capitalist, who was the real contractor.

This the Collector learnt from disclosures in a second case, "Trustees of Lala Mulchand, banker, and contractor, *versus* Madari Lal," tried in the Court of Small Causes, Allahabad.

In dismissing that case the Judge stated in the strongest language that the lessees mentioned in the Government lease were simply "servants" and "nothing more." Madari Lal, the Judge added, "at first maintained that he was not the real lessee, but merely a banker for the lessees. But he was forced from this position, which the evidence made utterly untenable, and had to admit that he was the lessee."

The Collector suspended action against Madari Lal until the High Court had pronounced upon the appeal, which was then pending from this decision. The High Court found that Madari Lal had an interest in the lease as contractor, and the present suit was therefore filed on the 17th September, 1884, to recover the amount still due.

GHÁZIPUR.

Ram Padarath Tiwari *versus* Secretary of State.

The plaintiff, Ram Padarath, with others, who allege that they are the proprietors and permanent owners of the zamindari right in Bhagwantpur, have brought a claim praying that they may be granted right of ownership and possession over the said village of Bhagwantpur.

Their contention is that the village of Bhagwantpur was taken up by Government in the Military Department for the special purpose of maintaining a stud for the rearing of horses, and that there was an express stipulation on the part of Government that when the land was no longer required for stud purposes, it would be returned to the plaintiffs.

The stud was abolished in 1874, and the land was not returned to plaintiffs, but, on the contrary, assigned by the Collector to the Municipality of Gházipur. Further, in 1882, a large portion of the land was leased, on the 28th of January, 1882, to Messrs. Begg, Sutherland and Co., for the establishment of a tobacco farm, and in 1883 advantage was taken by the Settlement Department to remove the names of plaintiffs from the column of proprietors.

The reply filed by Government is to the effect.—

1*st*.—That facts disclosed in the plaint do not constitute any cause of action.

2*nd*.—That there was never any agreement, expressed or implied, to return the land to the zamíndárs on the abolition of the Stud Department.

3*rd*.—That the Government having obtained the land in the first instance, on consideration of a sum to be paid annually, are competent to retain it as long as that sum is paid, and to use it for any purpose they see fit.

4*th*.—The consideration or compensation, given in 1882, was declared to be in perpetuity, and the fact that plaintiffs' ancestors have so long continued to receive it, is evidence from which the Court may presume that plaintiffs' ancestors agreed to receive and accept that compensation in perpetuity.

The case is pending before the Subordinate Judge of Gházipur.

LUCKNOW.

Raja Indar Bikram Sah *versus* Secretary of State for India in Council.

This is a claim to waste and forest lands in Oudh, valued at Rs. 2,65,000, and the circumstances out of which it arose are given at page 11 of the Legal Remembrancer's Report for 1883.

The District Judge, as will be found on referring back to the report just quoted, dismissed the case on the 26th July, 1883.

From this judgment the plaintiff appealed to the Judicial Commissioner of Oudh. This Court virtually passed over the sanad upon which the Raja based his claim, holding that whatever rights the plaintiff possessed, he must possess by virtue of any previous rights or prescriptions that he or his predecessor might have held prior to the act of confiscation. This the Judicial Commissioner held had been conclusively

decided by the Privy Council in *Malka Jahan Sahiba* v. *Deputy Commissioner of Lucknow*, L R, VI, I, Ap. 63.

He further held on the one hand (*a*) that the rules passed by the Governor-General in 1856 had the force of law and the general action between by the Chief Commissioner on those rules was in conformity with them and legal; (*b*) that the Government in regranting the estate of Khairagarh to Raja Randhaj Singh granted it subject to the well understood condition that the Government would demarcate the villages of the estate and retain for the benefit of the public exchequer the waste land adjoining it; and (*c*) that, subject to certain exceptions, the plaintiffs claims were settled with great and wise liberality. At the same time he considered rules 12 and 13 of the same rules of doubtful authority, and that the action of Messrs. Nicholson in 1865 and Kavanagh in 1867, in removing entire villages out of the possession of the Raja and including them in Government reserved forest and waste land allotments was an overstepping of the Commission under which they were appointed. On this point the Judicial Commissioner writes :—

"When we remember that several years prior to this procedure the Government had conferred a sanad on the Raja granting to him the estate of Khairagarh consisting of the villages 'as per list attached, &c.,' and we find several villages contained in that list taken away from him, it is impossible to deny that such procedure on the part of the demarcating officers was not only unauthorised by a proper construction of the Government Orders themselves, but was directly destructive of the plain words of the Government. The villages to which these remarks more particularly apply are Koosambhi, Pusyapur, Bhuja, Phanta Nunoha, as all of these four villages were distinctly mentioned in List B, attached to the sanad," and again he adds further on :—

"On the whole, then, I think that the survey and settlement officers were wrong in ex-propriating plaintiff and plaintiff's father from the seven whole villages named in the amended plaint. Those officers had great powers and could have done almost anything that fairly came under the name of demarcation, but to delimitate seven whole villages out of plaintiff's sanad and assign them to the State was, in my opinion, one of the few things they could not legally do, and I consider that in doing it they stepped beyond their powers and their instructions. All the rest of their action was, I consider, unassailable."

The Judicial Commissioner found, however, that whatever legal remedy the plaintiff might have had for the injury sustained under these proceedings was completely barred by the Law of Limitation.

Mr. Nicholson's work was completed in 1865 and the allotment formed by him, which included the land claimed by plaintiff formally advertised for sale in the *Government Gazette* of the year 1866. Mr. Kavanagh's work was completed in 1867, and plaintiff's cause of action was held to run from those dates and not from the setting up of pillars or any subsequent details of demarcation.

The appeal was accordingly dismissed and each party directed to bear their own costs. This took place on the second of June, 1884. The plaintiff has subsequently taken his case before the Privy Council, where it is still pending.

MUNICIPALITIES.

ALLAHABAD.

Secretary of State for India in Council.
versus
Jagan Prasad.

This suit should have found a place under Government suits, but as the case from first to last is one which, now that the Government lands situate within the Municipal limits of Allahabad have been formally transferred by the Secretary of State, to the Allahabad Municipality, affects the Municipality of Allahabad, the Collector has returned it under this head, and it has been retained here to avoid confusion. The case will be found fully reported in the 6th vol of the Allahabad

Series, Indian Law Reports, pp. 148 (*et seq.*) and to avoid needless repetition, it has been thought expedient merely to give the result, which was as follows :—

"Held that the Municipal Committee were the plaintiff's duly authorised agents to lease and obtain rent for the land occupied by the defendant's buildings with their compounds ; that such notice was properly issued in that character on behalf of the plaintiff ; and the defendant's subsequent refusal to pay rent, or to accept a lease, or evacuate the premises amounted to a sufficient denial of the plaintiff's title to afford him a good cause of action; that, assuming that no agreement to pay rent existed, the plaintiff was entitled to demand and recover reasonable compensation for the use and occupation of the land by the defendant; that the suit was maintainable in the Civil Court, and it had power to grant the plaintiff the reliefs sought; that by the conditions of the grant by the military authorities the plaintiff was not disqualified from demanding ground rent for the land before he had paid the defendant the value of the buildings, but that, looking to those conditions, it would not be fair or equitable to grant the plaintiff a decree, pure and simple, for the ejectment of the defendant, but he should be put under the condition that if in case of the defendant's refusal to pay the rent fixed he desired to eject him, the value of the buildings as cantonment residences must first be determined, and when determined, must be tendered to the defendant, and if the latter refused to accept it, the plaintiff would then be entitled to eject him.

COURT OF WARDS.

MAINPURI.

Collector of Mainpuri on behalf Sajrai estate *versus* Musammat Jasodha Kuar and Lal Pokpal Singh.

The claim is to have set aside a deed of adoption alleged to have been executed by Musammat Jasodha Kuar in favour of Lal Pokpal Singh on the 22nd day of October, 1882. Lal Ishri Parshad Narain Singh, on whose behalf the Collector of Mainpuri has filed this suit, is the adopted son of Raja Lachman Singh, and a ward under the Court of Wards for the North-Western Provinces.

Raja Lachman Singh and one Chaudhri Gajadhar Singh were own brothers. The latter died childless at the age of 63 (1877 A.D.). His property was valued at a lakh of rupees, and on Gajadhar Singh's death passed, into the possession of the defendant, Musammat Jasodha Kuar.

This last-mentioned lady, on the 22nd October, 1882, executed a deed of adoption in favor of Pokpal Singh, the second defendant. Pokpal Singh is said to be the only son of Lal Balwant Singh, deceased, and reversionary heir to Kuar Joabar Singh, the father of Lal Balwant Singh, who has survived his son.

The plaintiff, who was the next reversionary heir to Musammat Jasodha Kuar, challenged the adoption on the grounds, that it was contrary to Hindu Law, that the necessary ceremonies were never performed, that the lady's husband never gave the lady permission to adopt any one and had no intention of any one being adopted ; and, lastly, that the adoption was contrary to the wish of Pokpal Singh's mother.

The defendants traversed all the objections raised by plaintiff to the adoption, and maintained that the adoption was performed with all proper and necessary rites and ceremonies, was done under permission received from the late Chaudhri Gajadhar Singh and with the approval of both Balwant Singh and the mother of Pokpal Singh.

The reply further challenged plaintiff's right to be reversionary heir to Musammat Jasodha Kuar on the ground that the estates of Chaudhri Gajadhar Singh and Raja Lachman Singh were not ancestral property, but separate divided estates, and the plaintiff, whose title to succeed Raja Lachman Singh was questioned by his own brotherhood, was a stranger to the family of Chaudhri Gajadhar Singh.

The Judge of Mainpuri found that the performance of the ceremonies necessary to a valid adoption was not proved ; that Pokpal being an only son, his adop-

tion would have been contrary to Hindu Law and illegal; that Pokpal Singh's mother never gave consent to the adoption; that Gajadhar Singh never gave Musammat Jasodha Kuar leave to adopt any one; and that the estates of Chaudhri Gajadhar Singh and Raja Lachman Singh were ancestral and undivided property. He therefore decreed that the deed of adoption unlawfully executed by Musammat Jasodha Kuar in favor of Lal Pokpal Singh, be set aside, and the adoption declared invalid, and that no cause of action had yet accrued or would accrue till after the death of Musammat Jasodha Kuar, and an anticipatory declaration of heirship would be invalid.

The defendants then filed an appeal from the decision on the following grounds:—

1st.—Because it is fully proved, by reliable evidence on the record, that the appellant (Pokpal Singh) was legally adopted by Chaudhrain Jasodha Kuar after due performance of ceremonies required under the Hindu Law.

2nd.—Because the said Pokpal Singh being a descendant from the common ancestor of Gajadhar Singh, his adoption is not invalid by any omission in the ceremony.

3rd.—Because it is proved that Chaudhri Gajadhar Singh permitted his wife, Jasodha Kuar, to adopt, and that the contents of wajib-ul-arz attested by the said Chaudhri and his brother Lachman Singh (adoptive father of the plaintiff) supports the truth of other evidence produced by the appellant, and that exception taken by the learned Judge cannot prevail.

4th.—Because the learned Judge has allowed undue weight to the evidence on the part of the respondent.

5th.—Because it is proved by evidence that Pokpal Singh was given in adoption to Jasodha Kuar by his natural mother, in exercise of the legal authority bestowed on her by Balwant Singh the father of the said Pokpal Singh.

6th.—Because the learned Judge has improperly refused to examine the widow of the said Balwant Singh as a witness for the appellant.

7th—Because the adoption of an only son is not invalid, specially where the adopter and the adopted are of the same family.

8th.—Because the finding of the learned Judge, both on the points of law and facts, is erroneous, and the adoption of Pokpal Singh is proved as a fact as well as a valid one.

9th.—Because the respondent had no right to succeed to Chaudhri Gajadhar Singh, nor is he competent to bring this suit.

The case is pending in the High Court.

ETAWAH.

Rajah Rup Singh *versus* Rani Basni and Court of Wards.

The case has been under litigation since the year 1878, and the facts connected with it were given in full detail in the Legal Remembrancer's Report for 1879, pp. 8 to 10.

The Judge of Mainpuri, before whom the case was tried in the first instance, and the High Court in appeal (*vide* Legal Remembrancer's Report, 1880, pp. 19-20), rejected the contention of the plaintiff that widows never succeed to a Raj in the North-Western Provinces. They further found that there was good evidence to show that, in the family to which the possessors of the Raj in question (the Raj Bhara) belong, the custom was that the widow was not excluded by collaterals.

Their Lordships of the Privy Council reversed the decree of the Lower Courts, holding that the Mitakshara was the Hindu Law of Inheritance in the district in which the estate is situate, and that it was clear that, according to that Law, in the absence of any special custom to the contrary, the plaintiff, as the uncle of the deceased Raja, and the surviving member of the joint family, was entitled to succeed to the ancestral

estate upon the death of his nephew. According to the Mitakshara, they held, a widow was not entitled to succeed to her husband's estate in preference to collateral male heirs, unless he is separate, or as in the Shivagunga case, his estate was separate or self-acquired (see Mitakshara, cap 2, sec. 1, paras. 8-19 and 30 and 31, Note).

"The estate of Bhara, it appeared" their Lordships continue, "was one of five, all of which came from a common stock and had a common ancestor, the Raja Singandeo, who lived 650 years ago."

"The five were—

(1) Bhara (the property in suit).
(2) Jaggamanpur.
(3) Ruh Ruh.
(4) Kakhonto.
(5) Nakkatpatti.

"The last family, Nakkatpatti, is extinct, and the second family, Jaggamanpur, has split up into the families of *Tarsor*, *Sorawan*, *Bhaddek*, *Hardeo*.

"It appeared that no instance, as far as was known, had occurred in *Raj Bhara* where the Raja had died sonless until the present time.

"But instances of this had occurred in other branches of the common family which descended from Raja Singdeo, and were adduced by the defendant Rani in support of her allegation that the Kul-rit or family custom and raj-rit custom of the raj was as she alleged it to be.

"Thus, in the allied family termed Raj Ruh Ruh, it was shown that Raja Kussul Singh died, and was succeeded by his widows, Rani Chandelin and Rani Bhadaurni, although his younger brother, Sambar Singh, and the sons of Sambhar Singh were alive."

The fact of the formation of the five separate estates by the partition of one entire estate was not disputed, and there was such a connection between Ruh Ruh and Bhara, that evidence of a custom of descent in one of them would be admissible in support of a similar custom in the others. There was, however, no evidence except in one single instance in Ruh Ruh that a female ever held any one of the four principal estates.

Their Lordships were clearly of opinion that there was not sufficient evidence in the fact or in the record that even in the Raj of Ruh Ruh, a custom existed by which a widow succeeded by inheritance to the estate of her husband in preference to collateral heirs on his dying without issue.

The contention of the defendants was that the plaintiff and the late Raja were separate, not that there was a custom for widows to inherit in preference to collaterals in the case of an undivided ancestral estate in a joint family; yet inferences were drawn in favor of such a custom by the District Judge and Mr. Justice Pearson, from descents to widows in the case of certain minor estates carved out of some of the five principal estates, such, for example, as *Tarsore*, *Sorawan*, *Sahbad*, *Mulhousie*. These estates, it was said, descended to widows, though collaterals must have been living. Three of these estates were granted for maintenance. Neither *Tarsore* nor *Sorawan* was a ráj. *Mulhousie* was not impartible. No clear or satisfactory evidence was given that the estates were not separate estates of the last holders; whereas if they were separate or self acquired (which estates granted for maintenance probably would be), the widows would succeed, in due course of law, as in the Shivagunga case and the case of Periasami *versus* Periasami. In the only instance, as regards Sarawan, in which a widow succeeded to a minor estate created out of the ráj estate, her husband left a son, and upon a mutation the name of the son as well as that of the widow was entered. "The case," Sir Barnes Peacock remarked, shows how easily witnesses may create a false impression when speaking generally of the succession of widows without showing, and probably without knowing, the circumstances under which such successions took place. Other cases, such as one in Mirzapur, and

another in Cawnpore, were relied on, in respect of which no connection between them and Bhara was shown to exist. Such cases, even if they could have any weight, were not admissible as evidence to prove a family custom in Bhara.

Finally their Lordships held that the plaintiff had made out his case satisfactorily, *viz.*, that the Ráj of Bhara was an ancient ráj and an ancestral estate, and that by virtue of an ancient custom in the family it was impartible, and to be held and enjoyed by only a single member at a time. His title then depended upon his legal right under the Mitakshara, and according to that law, the estate being ancestral, and the family undivided, he, as the nearest male heir of the deceased Raja, and the surviving member of the undivided family, was entitled to succeed to the raj in preference to the widow. The defendants did not prove their allegation that the plaintiff and the deceased Raja were separate, as alleged by them, and it was for them to prove, by clear and unambiguous evidence, that the law of succession, according to the Mitakshara, was modified by an ancient uniform custom in favor of a widow. This, in their Lordship's opinion, they failed to do.

The result was that their Lordships advised Her Majesty to reverse the decrees of both the Lower Courts, and to order and decree that the plaintiff should recover possession of the estate called Ráj Bhara, together with his costs in both the Lower Courts.

For a fuller account of the case see Law Reports I. A XI p 149.

MORADABAD.

Musammat Kundan Begam *versus* Collector of Moradabad (Masum Ali Khan's estate).

This was a claim for dower brought by the plaintiff, alleging that she was the wife of the deceased Nawab Muhammad Masum Ali Khan (Shia by sect), who died in 1877. According to the plaintiff the deceased had lived with her, as her husband, up to the time of his death in one and the same house. Thirteen years previously she had been married by *Nikah* at Sambhal, and the dower fixed was Rs 25,000. Prior to that she had lived with the Nawab as his *matai* or temporary wife.

The defendant denied that any ceremony of *Nikah* had ever taken place, and that the plaintiff was an ordinary prostitute, and as such there could have been no marriage between the parties. The amount fixed as dower was said to be inconsistent with the circumstances and position of the plaintiff.

The Lower Court, upon the evidence, found that no marriage was proved. The High Court, before whom plaintiff carried her claim in appeal, found upon the same evidence that there had been a marriage, and that the amount of dower fixed on the occasion was Rs. 25,000.

BALLIA.

Musammat Masuma Bibi *Versus* Collector of Ballia.

The estate, commonly known as the Sanwani estate, was so heavily involved that the Court of Wards came to the determination that nothing but the sale of the entire estate would enable the Court to pay the liabilities due under decrees and bond debts.

The estate was accordingly advertised for sale, but owing to intrigues on the part of the family, no bidders appeared on the day fixed for sale, and the auction had to be postponed.

After communication with the Board, a reserve price of Rs. 5,50,000 was fixed on the estate, and it was again advertised for sale by auction or private tender, on the 20th July, 1883. On the 11th July, 1883, the Collector received a tender of Rs 5,75,000 from Dr. E. J. Lazarus, on behalf of the Mahárajá of Vizianagram, which he at once accepted, and on the 13th July, Dr. Lazarus paid into the Bank of Bengal Rs. 1,50,000, one-fourth of the purchase-money, in accordance with the advertised conditions of sale.

But the family was not yet at the end of their resources, for on the 13th July, they filed a suit in the names of the jagirdarin, Masuma Bibi, and her grandson,

Ahmad Hasan Khan, claiming release of the estate from the Court of Wards, and alleging its gift to Ahmad Hasan Khan, and an injunction was promptly served upon the Collector by the Civil Court forbidding him to proceed with the sale. The value of the estate was laid at 12 lakhs, and the suit was brought on a stamp of Rs. 10.

The proper stamp was Rs. 3,000, and after allowing the plaintiffs time to raise the money, the Subordinate Judge rejected this plaint, on the 13th August, as insufficiently stamped.

Between the 13th and 14th August the money was raised by the plaintiff, and the present suit filed, and another injunction served upon the Collector. The objections made to this injunction on the part of the Court of Wards were heard on the 19th September, and the injunction was upheld.

The claim, as laid by Masuma Bibi, proceeded upon the allegation that the estate had been given to one Ahmad Hasan Khan. She prayed that it might therefore be removed from the custody of the Court of Wards. In her claim she was joined by the alleged donee, Ahmad Hasan Khan. The claim was dismissed by the Subordinate Judge of Ghâzipur, who held that there was no cause of action for the plaintiffs, and that the proceedings of the Court of Wards had been valid and justified under the circumstances of the case.

As regards Ahmad Hasan Khan, the same Court held that he had no *locus standi*.

The case has since been appealed to the High Court.

APPENDIX I.

Suits finally decided by, or pending in, the Courts of first instance.

Division.	District and class of suit.	Government, Plaintiff.							Government, Defendant.						
		Number for disposal.	Value of claim.	Decided. For Government.	Decided. Against Government.	Amount decreed.	Number of cases pending.	Value of claims pending.	Number for disposal.	Value of claim.	Decided. For Government.	Decided. Against Government.	Amount decreed.	Number of cases pending.	Value of claims pending.
MEERUT ...	Debra Dún, Government	2	(a)	1	1	...	...	...	2	2,622	1	1	322	...	...
	Ditto Municipality	...	...	...	...	...	...	...	1	500	1	...	...	...	...
	Saháranpur ditto	...	...	...	...	...	...	...	1	150	1	...	...	...	...
	Muzaffarnagar Court of Wards	...	...	...	...	...	...	...	7	23,263	3	2	3,885	2	8,652
	Meerut, Municipality	...	...	...	...	...	...	...	2	190	1	1	40	...	...
	Ditto Court of Wards	1	4,473	1	...	2,510	...	...	...	...	...	...	...	...	...
	Bulandshahr Court of Wards	...	...	...	...	...	...	...	1	127	1	...	...	...	...
	Aligarh, Government	...	...	...	...	...	...	...	1	389	1	...	...	...	...
	Total ... Government	2	...	1	1	...	...	...	3	3,011	2	1	322	...	...
	Total ... Municipality	...	...	...	...	...	...	...	4	840	3	1	40	...	...
	Total ... Court of Wards	1	4,473	1	...	2,510	...	...	8	23,390	4	2	3,885	2	8,652
AGRA ...	Muttra, Government	...	...	...	...	...	...	...	1	25	1	...	...	...	...
	Ditto Court of Wards	...	...	...	...	...	...	...	1	3,753	1	...	...	...	...
	Agra, Government	...	...	...	...	...	...	...	2	1,493	...	2	1,493	...	...
	Farukhabad, Government	...	...	...	...	...	...	...	1	200	...	1	200	...	...
	Mainpuri, Government	...	...	...	...	...	...	...	1	1,396	1	...	...	...	...
	Ditto Court of Wards	2	25,688	2	...	25,688	...	...	...	...	...	...	...	...	...
	Etah, Government	...	...	...	...	...	...	...	1	250	...	...	...	1	250
	Total ... Government	...	...	...	...	...	...	...	6	3,364	2	3	1,693	1	250
	Total ... Municipality	...	...	...	...	...	...	...	...	...	...	...	...	...	...
	Total ... Court of Wards	2	25,688	2	...	25,688	...	...	1	3,753	1	...	...	...	...
ROHILKHAND ...	Bijnor, Court of Wards	3	41,132	2	1	87	...	...	4	2,570	1	3	2,420	...	...
	Moradabad, Government	...	...	...	...	...	...	...	2	404	...	...	...	2	404
	Ditto Municipality	...	...	...	...	...	...	...	4	83	2	...	...	2	13
	Ditto Court of Wards	11	1,036	11	...	1,036	...	...	1	100	...	...	...	1	100
	Budaun, Court of Wards	3	105	3	...	105	...	...	1	1,125	...	...	...	1	1,125
	Bareilly, Government	...	...	...	...	...	...	...	2	1,453	1	1	16	...	...
	Ditto Municipality	...	...	...	...	...	...	...	3	29	2	...	...	1	20
	Ditto Court of Wards	1	915	...	1	...	...	...	2	6,12,017	...	...	...	2	6 12,017
	Sháhjahánpur, Court of Wards	4	661	3	1	254	...	...	3	2,808	3	...	...	...	...
	Total ... Government	...	...	...	...	...	...	...	4	1,857	1	1	16	2	404
	Total ... Municipality	...	...	...	...	...	...	...	7	172	4	...	...	3	38
	Total ... Court of Wards	22	43,649	19	3	1,482	...	...	11	6,13,620	4	3	2,420	4	6,13,242
	Cawnpore, Government ...	1	(a)	1	...	...	...	...	...	...	...	...	...	...	...
	Ditto Municipality ...	2	300	1	...	150	1	150	1	1,900	1	...	...	...	...
	Ditto Court of Wards ...	1	70	...	...	...	1	70	...	...	...	...	...	...	...
	Fatehpur, Government ...	1	60	1	...	60	...	...	...	...	...	...	...	...	...
	Ditto Municipality ...	...	...	...	...	...	...	...	1	194	1	...	...	...	...

ALLAHABAD ...	Bánda,	Government	...	...	...	...	...	...	...	...	...	1	75	1	...	...	...	...
	Ditto,	Municipality	...	...	...	1	132	1	...	107	...	...	...	...	...	...	...	...
	Allahabad,	Government	...	...	...	2	27,010	...	...	...	2	27,010	1	60	1	...	...	...
	Ditto	Municipality	...	...	...	1	5 432	1	...	5,432	...	...	...	...	...	...	...	...
	Ditto	Court of Wards	...	...	...	5	382	2	2	125	1	8	...	...	...	...	...	...
	Jaunpur,	Municipality	...	...	...	...	...	...	...	...	...	...	1	15	...	1	15	...
	Ditto,	Court of Wards	...	...	...	4	6,325	2	1	5,079	1	1,200	2	4,145	1	1	379	...
	Total ..	Government			...	4	27,070	2	...	60	2	27,010	2	135	2	...	...	...
		Municipality			..	4	5,864	3	...	5,689	1	150	3	2,109	2	1	15	...
		Courts of Wards			...	10	6,777	4	3	5,204	3	1,278	2	4,145	1	1	379	...
BENARES ..	Azamgarh,	Court of Wards	...	...	...	1	7	1	...	7	...	...	..	...	.	...	...	..
	Mirzapur,	Government	...	...	...	...	...	...	...	...	...	...	1	94	1	...	...	.
	Ditto	Court of Wards	...	...	...	...	...	...	...	...	..	...	3	845	...	...	..	3
	Benares,	Government	...	...	...	1	279	1	...	279	...	...	1	4 860	...	...	...	1
	Ditto	Court of Wards	...	...	...	...	...	...	...	...	...	...	1	6,36,108	1	...	...	...
	Ghazipur,	Government	...	...	...	...	...	...	...	...	...	...	2	1,454	...	...	...	2
	Gorakhpur,	Government	...	...	...	...	...	...	...	...	...	...	1	76	...	...	...	1
	Ditto	Court of Wards	.	...	...	2	4,588	1	1	588	...	...	4	3,190	1	2	72	1
	Basti,	Government	...	...	...	...	..	..	...	...	...	...	1	288	1	...	...	...
	Do	Court of Wards	...	...	...	1	302	1	...	302	...	..	...	...	...	...	.	...
	Ballia	Court of Wards	...	...	...	...	...	...	...	...	...	...	2	12,25,191	2	...	...	...
	Total ...	Government			...	1	279	1	...	279	...	...	6	6,772	2	...	...	4
		Municipality			...	...	...	...	...	...	...	...	...	...	...	...	...	...
		Court of Wards			...	4	4,397	3	1	897	...	...	10	18,65,244	4	2	72	4
Provincial Total, N.-W. P.,		Government			...	7	27,349	4	1	339	2	27,010	21	15 139	9	5	2,031	7
		Municipality			..	4	5,864	3	...	5,689	1	150	14	3.121	9	2	55	3
		Court of Wards			...	39	85,684	29	7	35,781	3	1,278	32	25,15,152	14	8	6,756	10
OUDH.																		
LUCKNOW ..	Lucknow,	Government ...	...	...	...	12	1,336	11	...	403	1	933	2	29,971	2	...	...	...
	Unao,	Municipality ...	...	...	...	..	.	...	...	...	...	...	1	24	...	...	..	1
	Total .	Government			...	12	1,336	11	...	403	1	933	2	29 971	2	...	...	...
		Municipality			...	...	...	...	...	...	...	...	1	24	...	...	...	1
SITAPUR ...	Kheri, Government		...	..	...	...	...	...	...	...	...	...	2	280	1	...	...	1
	Total ...	Government			...	...	...	...	...	...	..	...	2	380	1	.	-	1
FYZABAD ...	Fyzabad,	Government ...	...	...	...	...	...	...	..	...	...	...	10	4,117	5	1	59	4
	Ditto	Municipality ...	...	...	...	2	302	2	...	302	...	...		...	-	...	...	...
	Total ...	Government			...	...	...	...	...	...	..	...	10	4,117	5	1	59	4
		Municipality			...	2	302	2	...	302		..	...	...	...	...	...	.
RAE BARELI ...	Partabgarh,	Government	...	...	...	...	...	...	...	...	...	...	1	307	1	...	...	...
	Total ...	Government			...	...	...	...	...	...	...	...	1	307	1	...	...	...
Provincial Total, N.-W. P.,		Government			...	12	1 366	11	...	403	1	933	15	34,775	9	1	59	5
		Municipality			...	2	302	2	...	302	...	..	1	24	...	..	..	1
GRAND TOTAL ...		Government			...	19	28,715	15	1	742	3	27,943	36	49,914	18	6	2,090	12
		Municipality			...	6	6,166	5	...	5,991	2	150	15	3,145	9	2	55	4
		Court of Wards			...	39	85,684	29	7	35,781	3	1,278	32	25,15,152	14	8	6,756	10

(a) These claims were claimed under Act X of 1870, in each case the amount tendered by Government was slightly enhanced; but they cannot be shown as claims decreed against Government without conveying a wrong impression.

APPENDIX II.

Statement showing the number and result of cases regularly appealed during the year.

Division.	District and class of suit.	Government, Appellant.										Government, Respondent.									
		Number for disposal.	Amount claimed in Lower Court. By Government.	Amount claimed in Lower Court. By Respondent.	Decided. For Government.	Decided. Against Government.	Amount decreed in favor of Government.	Amount decreed against Government.	Pending. Number of cases.	Pending. Government claim.	Pending. Respondent's claim.	Number for disposal.	Amount claimed in Lower Court. By Government.	Amount claimed in Lower Court. By Appellant.	Decided. For Government	Decided. Against Government.	Amount decreed in favor of Government.	Amount decreed against Government.	Pending. Number of cases.	Pending. Government claim	Pending. Appellant's claim.
MEERUT ...	Dehra Dún ... Government ...	...	...	...	...	...	...	...	...	...	...	1	...	...	...	...	...	...	1	...	...
	Saharanpur ... Government ...	...	...	...	...	...	...	...	...	...	...	1	...	7,160	...	...	...	...	1	...	7,160
	Ditto ... Municipality ...	...	...	...	...	...	...	...	...	...	...	1	...	150	1	...	...	...	...	...	...
	Muzaffarnagar ... Court of Wards ...	...	...	...	...	...	...	...	...	...	...	3	...	16,726	3	...	...	...	...	...	...
	Meerut ... Municipality ...	...	...	...	...	...	...	...	...	...	...	1	...	40	...	1	...	40	...	...	...
	Bulandshahr ... Government ...	...	...	...	...	...	...	...	...	...	...	1	...	100	1	...	...	...	...	...	...
	Ditto ... Court of Wards ...	...	...	...	...	...	...	...	...	...	...	1	...	38,200	...	...	...	...	1	...	38,200
	Total ... Government ...	...	...	...	...	...	...	...	...	...	...	3	...	7,260	1	...	...	...	2	...	7,160
	Total ... Municipality ...	...	...	...	...	...	...	...	...	...	...	2	...	190	1	1	...	40	...	...	...
	Total ... Court of Wards ...	...	...	...	...	...	...	...	...	...	...	4	...	48,926	3	...	...	...	1	...	38,200
AGRA ...	Farukhabad ... Government ...	1	...	200	...	...	...	...	1	...	200	1	24	...	...	1	...	...	...	...	...
	Total ... Government ...	1	...	200	...	...	...	...	1	...	200	1	24	...	...	1	...	...	...	...	...
ROHILKHAND,	Bijnor ... Court of Wards ...	...	...	...	...	...	...	...	...	...	...	1	...	150	...	...	...	...	1	...	150
	Moradabad ... Government ...	...	...	...	...	...	...	...	...	...	...	1	2,939	...	1	...	...	...	...	...	...
	Ditto ... Municipality ...	...	...	...	...	...	...	...	...	...	...	2	...	65	...	1	...	...	1	...	30
	Ditto ... Court of Wards ...	...	...	...	...	...	...	...	...	...	...	1	...	18,750	...	1	...	18 750	...	...	...
	Bareilly ... Government ...	...	...	...	...	...	...	...	...	...	...	1	...	95	1	...	...	...	...	...	...
	Dirto ... Court of Wards ...	...	...	...	...	...	...	...	...	...	...	2	5,84,490	5,000	...	...	...	...	2	5,84,490	5,000
	Shéhjahánpur ... Court of Wards ...	1	407	...	...	1	...	...	...	...	...	1	...	...	1	...	...	...	...	...	...
	Total ... Government ...	...	...	...	...	...	...	...	...	...	...	2	2,939	95	2	...	...	...	...	...	...
	Total ... Municipality ...	...	...	...	...	...	...	...	...	...	...	2	...	65	...	1	...	...	1	...	30
	Total ... Court of Wards ...	1	407	...	...	1	...	...	...	...	...	5	5,84,490	23,900	1	1	...	18,750	3	5,84,490	5,150

ALLAHABAD...	Fatehpur	Municipality	...	...	...	...	...	...	...	...	...	...	...	1	...	194	1	...	...	...	...	...	...
	Bánda	Government	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...
	Litto	Municipality	...	1	72	...	1	...	72	...	...	...	...	1	...	75	1	...	...	...	...	...	...
	Hamirpur	Government	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...
	Allahabad	Government	...	1	981	...	...	...	...	...	1	981	...	1	...	...	1	...	...	...	...	...	...
	Jaunpur	Municipality	...	...	...	...	...	...	...	...	...	...	...	2	...	50	2	...	...	...	...	...	...
	Ditto	Court of Wards	...	1	...	10	1	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...
	Total	Government	...	1	981	...	...	...	...	...	1	981	...	2	...	75	2	...	...	...	...	...	...
		Municipality	...	1	72	...	1	...	72	...	...	...	...	3	...	244	3	...	...	...	...	...	...
		Court of Wards	...	1	...	10	1	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...
BENARES ...	Azamgarh	Court of Wards	...	...	...	...	...	...	...	...	...	...	...	1	7	...	1	...	7	...	...	...	
	Gházipur	Court of Wards	...	...	...	...	...	...	...	...	...	...	...	1	2,010	...	...	1	...	...	...	...	...
	Gorakhpur	Court of Wards	...	...	...	...	...	...	...	...	...	...	...	2	...	56	1	...	...	...	1	...	56
	Ballia	Government	...	1	...	51,648	...	...	...	...	1	...	51,648	2	...	40,240	1	...	...	...	1	...	37,718
	Total	Government	...	1	...	51,648	...	...	...	...	1	...	51,648	2	...	40,240	1	...	...	...	1	...	37,718
		Court of Wards	...	...	...	...	...	...	...	...	...	...	...	4	2,017	56	2	1	7	...	1	...	56
JHÁNSI ...	Jalaun	Government	...	...	...	...	...	...	...	...	...	...	...	1	...	192	1	...	...	...	...	...	...
	Total	Government	...	...	...	...	...	...	...	...	...	...	...	1	...	192	1	...	...	...	...	...	...
	Provincial Total, N.-W. P.	Government	...	3	981	51,848	...	...	...	...	3	981	51,848	11	2,963	47,862	7	1	...	...	3	...	44,878
		Municipality	...	1	72	...	1	...	72	...	...	...	...	7	...	499	4	2	...	40	1	...	30
		Court of Wards	...	2	407	10	1	1	...	...	...	...	...	13	5,86,507	72,852	6	2	7	18,750	5	5,84,490	43,406
	OUDH.																						
LUCKNOW ...	Lucknow	Government	...	...	...	...	...	...	...	...	...	...	...	1	...	271	1	...	...	...	...	...	...
	Total	Government	...	...	...	...	...	...	...	...	...	...	...	1	...	271	1	...	...	...	...	...	...
SITAPUR ...	Kheri	Government	...	...	...	...	...	...	...	...	...	...	...	1	...	2,85,000	1	...	...	...	...	...	...
	Total	Government	...	...	...	...	...	...	...	...	...	...	...	1	...	2,85,000	1	...	...	...	...	...	...
FYZABAD ...	Fyzabad	Government	...	2	...	109	2	...	...	...	...	...	...	1	...	10	1	...	...	...	...	...	...
	Total	Government	...	2	...	109	2	...	...	...	...	...	...	1	...	10	1	...	...	...	...	...	...
	Provincial Total (Oudh), Government		...	2	...	109	2	...	...	...	...	...	...	3	...	2,85,281	3	...	...	...	...	...	...
GRAND TOTAL ...		Government	...	5	981	51,957	2	...	...	...	3	981	51,848	14	2,963	3,33,143	10	1	...	...	3	...	44,878
		Municipality	...	1	72	...	1	...	72	...	...	...	...	7	...	499	4	2	...	40	1	...	30
		Court of Wards	...	2	407	10	1	1	...	...	...	...	...	13	5,86,507	72,852	6	2	7	18,750	5	5,84,490	43,406

APPENDIX III.

Statement showing the number and result of cases specially appealed during the year.

Division.	District and class of suit.	Government, Appellant.											Government, Respondent.								
		Number for disposal.	Amount claimed in Lower Court.		Decided.		Amount decreed in favor of Government.	Amount decreed against Government.	Pending.			Number for disposal.	Amount claimed in Lower Court.		Decided.		Amount decreed in favor of Government.	Amount decreed against Government.	Pending.		
			By Government.	By Respondent.	For Government.	Against Government.			Number of cases.	Government claim.	Respondent's claim.		By Government.	By appellant.	For Government.	Against Government.			Number of cases.	Government claim.	Appellant's claim.
Meerut ...	Muzaffarnagar ... Court of Wards ...	...	...	...	...	...	...	...	...	...	...	2	...	96,752	1	...	...	...	1	...	80,755
	Meerut ... Government ..	...	...	...	...	...	...	...	...	...	...	1	...	20	1	...	...	...	...	...	...
	Total ... Government ...	...	...	...	...	...	...	...	...	...	...	1	...	20	1	...	...	...	...	...	...
	Total ... Court of Wards ...	...	...	...	...	...	...	...	...	...	...	2	...	96,752	1	...	...	...	1	...	80,755
Agra ...	Etáwah ... Court of Wards ...	...	...	...	...	...	...	...	...	...	...	1	..	3,10,266	.	1	...	3,10,266	...	...	...
	Total ... Court of Wards ...	...	...	...	...	...	...	...	...	...	...	1	...	3,10,266	...	1	...	3,10,266	...	...	...
Rohilkhand,	Bijnor ... Court of Wards ...	...	...	...	...	...	...	...	...	...	...	1	1,645	...	1	..	...	...	...	...	...
	Moradabad ... Government ...	...	...	...	...	...	...	...	...	...	...	1	2,939	...	...	...	...	...	1	2,939	...
	Moradabad ... Court of Wards ...	...	..	...	...	...	...	...	..	...	...	1	...	2,577	1	...	...	...	...	...	...
	Total ... Government ...	...	...	...	...	...	...	...	...	...	...	1	2,939	...	...	...	...	...	1	2,939	...
	Total ... Court of Wards ...	...	...	...	...	...	...	.	...	...	...	2	1,645	2,577	2	...	...	...	...	...	...
Allahabad,	Allahabad ... Government ...	1	981	...	...	...	...	...	1	981	...	...	...	...	...	...	...	...	...	...	...
	Allahabad ... Municipality ...	...	..	...	...	...	...	...	...	..	...	1	...	4,000	...	1	...	4,000	...	...	...
	Allahabad ... Court of Wards ...	...	...	...	...	...	...	...	...	...	...	1	...	737	1	...	...	...	...	...	...
	Jaunpur ... Municipality ...	...	...	...	...	...	...	..	...	...	...	2	...	50	...	...	...	...	2	...	50
	Jaunpur ... Court of Wards ...	...	...	...	...	...	...	...	..	...	...	1	..	25,476	1	...	...	...	...	..	...
	Total ... Government ...	1	981	...	...	...	...	...	1	981	...	...	...	...	...	...	...	...	...	...	...
	Total ... Municipality ...	...	...	...	...	...	...	...	...	...	...	3	...	4,050	...	1	...	4,000	2	...	50
	Total ... Court of Wards ...	...	...	...	...	...	...	...	...	...	...	2	...	26,213	2	...	...	...	...	...	...
Jhánsi ...	Jalaun ... Government ...	.	...	...	...	...	...	...	...	...	...	1	...	192	..	...	...	...	1	...	192
	Total ... Government ...	...	...	...	...	...	...	...	...	...	...	1	...	192	—	..	...	...	1	...	192
	Provincial Total, N.-W. P. Government ...	1	981	...	—	...	...	...	1	981	—	3	2,939	212	1	—	...	...	2	2,939	192
	Provincial Total, N.-W. P. Municipality ...	...	...	...	...	...	...	...	...	...	...	3	...	4,050	...	1	...	4,000	2	...	50
	Provincial Total, N.-W. P. Court of Wards ...	..	...	...	...	...	...	..	...	...	...	7	1,645	4,35,808	5	1	...	3,10,266	1	...	80,755
	OUDH.																				
Lucknow ...	Lucknow ... Government ...	...	...	...	...	...	...	...	...	...	...	1	18,100	...	...	..	...	...	1	18,100	...
	Total ... Government ...	...	...	...	...	...	...	...	...	...	...	1	18,100	...	...	...	..	...	1	18,100	...
	Provincial Total. Oudh, Government ...	...	...	...	...	...	...	...	...	...	...	1	18,100	...	...	...	...	...	1	18,100	...
	Grand Total ... Government ..	1	981	...	...	...	...	...	1	981	...	4	21,039	212	1	...	...	...	3	21,039	192
	Grand Total ... Municipality ...	...	...	...	...	...	...	...	...	...	...	3	...	4,050	...	1	...	4,000	2	...	50
	Grand Total ... Court of Wards ...	...	...	...	..	...	...	...	...	...	...	7	1,645	4,35,808	5	1	...	3,10,266	1	...	80,755

APPENDIX IV.

Statement of cases disposed of during, or pending at the close of, the year in which the State was originally the plaintiff.

Capacity in which the State was engaged and class of cases.	Number for disposal.	Value of claims.	Final result.				Pending.	
			Decreed.		Dismissed.			
			Number.	Amount	Number.	Amount.	Number.	Amount.
NORTH-WESTERN PROVINCES.								
GOVERNMENT.								
I.—Contracts—								
(b) To recover money or property due under a contract.	2	26,798	1	60	...	...	1	26,738
(d) Claims arising from relations resembling those created by contracts, Chapter V of Act IX, 1872	2	551	1	279	...	..	1	272
V.—Exchequer suits, *i.e.*, suits affecting the Government revenue	3	..	2	...	1	...	...	...
Total ...	7	27,349	4	339	1	...	2	27,010
MUNICIPALITIES.								
I.—Contracts—								
(b) To recover money or property due under a contract.	2	300	1	150	...	...	1	150
III.—Suits for declaration of right to, or to recover possession of real property with or without mesne profits, or to enforce a right to inherit.	2	5,564	2	5,539	...	25	...	...
Total ...	4	5,864	3	5,689	...	25	1	150
COURT OF WARDS.								
I.—Contracts—								
(a) To enforce performance of contract.	1	915	...	...	1	915	...	...
(b) To recover money or property due under a contract.	23	8,442	21	5,268	1	1,974	1	1,200
(d) Claims arising from relations resembling those created by contracts, Chapter V, of Act IX, 1872.	1	70	...	...	...	...	1	70
III.—Suits for declaration of right to, or to recover possession of real property with or without mesne profits, or to enforce a right to inherit.	12	76,132	6	30,388	5	45,736	1	8
IV.—Suits brought to recover damages for torts.	2	125	2	125	.	...	...	...
Total ...	39	85,684	29	35,781	7	48,625	3	1,278
GRAND TOTAL ...	50	1,18,897	36	41,809	8	48,650	6	28,438
OUDH.								
GOVERNMENT								
I.—Contracts—								
(b) To recover money or property due under a contract.	10	1,295	9	362	...	...	1	933
III.—Suits for declaration of right to, or to recover possession of real property with or without mesne profits or to enforce a right to inherit.	2	41	2	41	...	...	...	...
Total ...	12	1,336	11	403	...	...	1	933
MUNICIPALITIES.								
I.—Contracts—								
(b)—To recover money or property due under a contract.	2	302	2	302	...	...	...	...
Total ...	2	302	2	302	...	...	...	...
GRAND TOTAL ...	14	1,638	13	705	...	...	1	933

APPENDIX V.

Statement of cases disposed of during, or pending at the close of, the year in which the State was originally the defendant.

Capacity in which the State was engaged and class of cases.	Number for disposal.	Value of claims.	Final Result. Decreed. Number.	Decreed. Amount	Dismissed. Number	Dismissed. Amount.	Pending. Number.	Pending. Amount.
NORTH-WESTERN PROVINCES.								
GOVERNMENT.								
I.—Contracts—								
(a) To enforce performance of contract.	1	2,300	...	...	1	2,300	...	...
(b) To recover money or property due under a contract.	7	5,516	1	1,380	4	3,486	2	650
III.—Suits for declaration of right to, or to recover possession of real property with or without mesne profits or to enforce a right to inherit	9	6,853	3	329	2	159	4	6,370
IV.—Suits brought to recover damages for Torts	3	371	1	322	1	25	1	24
V.—Exchequer suits, *i.e.*, suits affecting the Government revenue.	1	94	...	...	1	94	...	...
Total ...	21	15,139	5	2,031	9	6,064	7	7,044
MUNICIPALITIES.								
I.—Contracts—								
(b) To recover money or property due under a contract	1	194	..	...	1	194	...	...
III.—Suits for declaration of right to, or to recover possession of real property with or without mesne profits, or to enforce a right to inherit.	13	2,927	2	55	8	2,834	3	38
Total ...	14	3,121	2	55	9	3,028	3	38
COURT OF WARDS.								
I.—Contracts—								
(a) To enforce performance of a contract.	1	1,000	1	1,000	...	...	...	...
(b) To recover money or property due under a contract.	12	46,966	5	5,684	4	10,853	3	30,429
III.—Suits for declaration of right to, or to recover possession of real property with or without mesne profits, or to enforce a right to inherit.	19	24,67,186	2	72	10	18,71,936	7	5,95,178
Total ...	32	25,15,152	8	6,756	14	18,82,789	10	6,25,607
GRAND TOTAL ...	67	25,33,412	15	8,842	32	18,91,881	20	6,32,689
OUDH.								
GOVERNMENT.								
I.—Contracts—								
(b) To recover money or property due under a contract.	1	360	...	...	...	...	1	360
(d) Claims arising from relations resembling those created by contracts, chapter V of Act IX, 1872	1	271	...	...	1	271	...	...
III.—Suits for declaration of right to, or to recover possession of real property with or without mesne profits, or to enforce a right to inherit.	5	33,783	1	59	4	33,724	...	...
V.—Exchequer suits *i.e.*, suits affecting the Government revenue.	8	361	...	...	4	319	4	42
Total ...	15	34,775	1	59	9	34,314	5	402
Municipalities								
III.—Suits for declaration of right to, or to recover possession of real property with or without mesne profits, or to enforce a right to inherit.	1	24	...	...	...	...	1	24
Total ...	1	24	...	...	...	...	1	24
GRAND TOTAL ...	16	34,799	1	59	9	34,314	6	

APPENDIX VI.

Statement showing the progress made in recovering the claims of the State decreed during the year in its favor and in satisfying claims decreed against it.

Division.	District and class of suit.	Claims decreed in favor of the State.														Claims decreed against the State.			
		Decreed.		Recovered.		Remitted.		Balance.		Analysis of Balance						Outstanding on the 1st October, 1883.	Decreed.	Paid.	Balance.
										Recoverable		Irrecoverable.		Doubtful.					
		Principal.	Interest.	Principal.	Interest.	Principal.	Interest.	Principal.	Interest.	Principal.	Interest.	Principal.	Interest.	Principal.	Interest.				
		Rs	Rs	Rs.	Rs	Rs.	Rs.	Rs	Rs	Rs.	Rs	Rs.	Rs.	Rs	Rs.	Rs.	Rs.	Rs.	Rs.
Meerut ...	Dehra Dún, Government ...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	322	...	322
	Saháranpur, Government ...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	7,160	...	...	7,160
	Muzaffarnagar, Court of Wards ...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	41,326	2,557	41,326	2,557
	Meerut, Court of Wards ...	2,167	343	29	86	...	...	2,138	257	2,138	257	...	...	...	...	...	...	...	...
	Bulandshahr, Court of Wards ...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	9,263	...	...	9,263
	Total ... Government ...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	7,160	322	...	7,482
	Total ... Court of Wards ...	2,167	343	29	86	...	...	2,138	257	2,138	257	...	...	...	...	50,589	2,557	41,326	11,820
Agra ...	Muttra. Court of Wards ...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	2,505	...	2,386	119
	Mainpuri, Court of Wards ...	688	...	...	...	...	...	688	...	688	...	...	...	...	...	...	...	...	...
	Total ... Court of Wards ...	688	...	...	...	...	...	688	...	688	...	...	...	...	...	2,505	...	2,386	119
Rohilkhand.	Bijnor, Court of Wards ...	75	...	...	...	...	...	75	...	75	...	...	...	...	...	...	2,080	2,080	...
	Moradabad, Court of Wards ...	837	540	45	10	...	...	792	530	792	530	...	...	...	...	6,548	18,619	...	25,167
	Budaun, Court of Wards ...	105	...	...	...	...	...	105	...	105	...	...	...	...	...	...	...	...	...
	Bareilly, Government ...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	16	16	...
	Sháhjahánpur, Court of Wards ...	254	...	...	...	...	...	254	...	254	...	...	...	...	...	1,193	...	1,199	...
	Total ... Government ...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	10	16	...
	Total ... Court of Wards ...	1,271	540	45	10	...	...	1,226	530	1,226	530	...	...	...	...	7,741	20,699	3,273	25,167
Allahabad.	Cawnpore, Government ...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	453	...	453
	Disto, Municipality ...	301	...	301	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...
	Fatehpur, Government ...	60	1	...	...	...	...	60	1	60	1	...	...	...	...	...	...	...	...
	Bánda, Municipality ...	65	...	...	...	...	...	65	...	65	...	...	...	...	...	...	...	...	...
	Allahabad, Municipality ...	2,070	559	...	...	...	...	2,070	559	2,070	559	...	...	...	...	...	...	...	...
	Jaunpur, Court of Wards ...	12	...	12	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...
	Total ... Government ...	60	1	...	...	...	...	60	1	60	1	...	...	...	...	...	453	...	453
	Total ... Municipality ...	2,436	559	301	...	...	...	2,135	559	2,135	559	...	...	...	...	...	...	...	...
	Total ... Court of Wards ...	12	...	12	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...
Benares,	Azamgarh, Court of Wards ..	7	...	7	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...
	Benares, Government ...	279	...	37	...	...	...	242	...	242	...	...	...	...	...	...	...	...	...
	Gorakhpur, Court of Wards ...	612	...	...	...	...	...	612	...	612	...	...	...	...	...	...	1,199	1,199	...
	Ballia, Court of Wards ...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	2,22,425	...	2,22,425	...
	Total ... Government ...	279	...	37	...	...	...	242	...	242	...	...	...	...	...	...	...	...	...
	Total ... Court of Wards ...	619	...	7	...	...	...	612	...	612	...	...	...	...	...	2,22,425	1,199	2,23,624	...
	Provincial Total, N.-W. P. Government ...	339	1	37	...	...	...	302	1	302	1	...	...	...	...	7,160	791	16	7,935
	Provincial Total, N.-W. P. Municipality ...	2,436	559	301	...	...	...	2,135	559	2,135	559	...	...	...	...	...	...	...	...
	Provincial Total, N.-W. P. Court of Wards ...	4,757	883	93	96	...	...	4,664	787	4,664	787	...	...	...	...	2,83,260	24,455	2,70,609	37,106
	OUDH.																		
Lucknow ...	Lucknow, Government ...	370	3	144	...	...	...	226	3	196	3	...	...	30	...	...	...	...	...
	Total ... Government ...	370	3	144	...	...	...	226	3	196	3	...	...	30	...	...	...	...	...
Fyzabad ...	Fyzabad, Municipality ...	302	...	266	...	...	...	36	...	36	...	...	...	...	...	...	...	...	...
	Total ... Municipality ...	302	...	266	...	...	...	36	...	36	...	...	...	...	...	...	...	...	...
	Provincial Total, Oudh Government ...	370	3	144	...	...	...	226	3	196	3	...	...	30	...	...	...	...	...
	Provincial Total, Oudh Municipality ...	302	...	266	...	...	...	36	...	36	...	...	...	...	...	...	...	...	...
	Grand Total. Government ...	709	4	181	...	...	...	528	4	498	4	...	...	30	...	7,160	791	16	7,935
	Grand Total. Municipality ...	2,738	559	567	...	...	...	2,171	559	2,171	559	...	...	...	...	...	...	...	...
	Grand Total. Court of Wards ...	4,757	883	93	96	...	...	4,664	787	4,664	787	...	...	...	...	2,83,260	24,455	2,70,609	37,106

APPENDIX VII.

Statement showing the cost of litigation during the year ending 30th September, 1884.

Division.	District and class of suit.	Costs disbursed.			Costs awarded during the year in favor of the State.		Recovered.		Remitted.		Balance.		Analysis of Balance.					
													Recoverable.		Irrecoverable.		Doubtful.	
		In prosecution and defence of suits and of applications.	On account of opponents costs.	Total.	Principal.	Interest.	Principal.	Interest.	Principal.	Interest.	Principal.	Interest.	Principal.	Interest.	Principal.	Interest.	Principal.	Interest.
1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19
		Rs.	Rs.	Rs.		Rs.		Rs.		Rs.		Rs.		Rs.		Rs.		Rs.
Meerut,	Dehra Dún ... Government ...	31	...	31	5	...	...	...	...	...	5	...	...	...	5	...	...	...
	Saháranpur ... Government ...	317	...	317	...	...	...	...	...	...	...	...	...	...	...	...	...	...
	Ditto ... Municipality ...	17	...	17	11	...	...	...	...	...	11	...	11	...	...	...	...	...
	Muzaffarnagar, Court of Wards,	1,826	1,287	3,113	1,224	...	...	...	...	...	1,224	...	1,105	...	...	...	119	...
	Meerut ... Government ...	16	...	16	16	...	16	...	...	...	...	...	...	...	...	...	...	...
	Ditto ... Municipality ...	26	23	49	11	...	...	...	...	...	11	...	11	...	...	...	...	...
	Ditto ... Court of Wards,	463	...	463	323	...	5	...	...	...	318	...	318	...	...	...	...	...
	Bulandshahr ... Government ...	4	30	34	8	...	8	...	...	...	...	...	...	...	...	...	...	...
	Ditto ... Court of Wards,	9	...	9	8	...	8	...	...	...	...	...	...	...	...	...	...	...
	Aligarh ... Government ...	8	...	8	7	...	7	...	...	...	...	...	...	...	...	...	...	...
	Total ... Government ...	376	30	406	36	...	31	...	...	...	5	...	...	...	5	...	...	...
	Total ... Municipality ...	43	23	66	22	...	...	...	...	...	22	...	22	...	...	...	...	...
	Total ... Court of Wards,	2,298	1,287	3,585	1,555	...	13	...	...	...	1,542	...	1,423	...	...	...	119	...
Agra ...	Muttra ... Government ...	3	..	3	3	...	3	...	...	...	...	...	...	...	...	...	...	...
	Ditto ... Court of Wards,	269	513	782	224	...	...	...	...	...	224	...	224	...	...	...	...	...
	Agra ... Government ...	145	...	145	6	...	6	...	...	...	...	...	...	...	...	...	...	...
	Ditto ... Court of Wards,	12	...	12	...	...	...	...	...	...	...	...	...	...	...	...	...	...
	Farukhabad ... Government ...	41	15	56	...	...	...	...	...	...	...	...	...	...	...	...	...	...
	Ditto ... Court of Wards,	9	...	9	9	...	...	...	...	...	9	...	9	...	...	...	...	...
	Mainpuri ... Government ...	5	...	5	13	...	...	...	...	...	12	...	12	...	...	...	...	...
	Ditto ... Court of Wards,	815	...	815	749	...	3	...	...	...	746	...	746	...	...	...	...	...
	Etáwah ... Court of Wards,	897	...	897	12	...	...	...	12	...	...	...	...	...	...	...	...	...
	Total ... Government ...	194	15	209	21	...	9	...	...	...	12	...	12	...	...	...	...	...
	Total ... Municipality ...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...
	Total ... Court of Wards,	2,002	513	2,515	994	...	3	...	12	...	979	...	979	...	...	...	...	...
Rohilkhand.	Bijnor ... Court of Wards,	704	324	1,028	300	...	18	...	...	...	282	...	137	...	145	...	...	...
	Moradabad ... Government ...	191	...	191	188	8	6	...	1	...	181	8	32	1	1	...	143	7
	Ditto ... Municipality ...	22	...	22	15	...	...	...	...	...	15	...	7	...	...	...	8	...
	Ditto ... Court of Wards,	1,158	150	1,308	333	1	37	...	...	...	296	1	296	1	...	...	...	...
	Budaun ... Court of Wards,	60	...	60	27	...	...	...	1	...	26	...	26	...	...	...	...	...
	Bareilly ... Government ...	47	..	47	43	1	40	1	...	...	3	...	3	...	...	...	...	...
	Ditto ... Municipality ...	12	...	12	8	...	7	...	...	...	1	...	1	...	...	...	...	...
	Ditto ... Court of Wards,	2,718	72	2,790	12	...	...	...	...	...	12	...	12	...	...	...	...	...
	Sháhjahánpur ... Court of Wards,	544	470	1,014	457	...	4	...	6	...	447	...	447	...	...	...	...	...
	Total ... Government ...	238	...	238	231	9	46	1	1	...	184	8	35	1	1	...	143	7
	Total ... Municipality ...	34	...	34	23	...	7	...	...	...	16	..	8	...	...	...	8	...
	Total ... Court of Wards,	5,184	1,016	6,200	1,129	1	59	...	7	...	1,063	1	918	1	145	...	...	...
Allahabad.	Cawnpore ... Government ...	14	...	14	...	...	...	...	...	...	...	...	...	...	...	...	...	...
	Ditto ... Municipality ...	160	25	185	223	...	214	...	...	...	9	...	9	...	...	...	...	...
	Ditto ... Court of Wards,	3	...	3	...	...	...	...	...	...	...	...	...	...	...	...	...	...
	Fatehpur ... Government ...	14	...	14	13	...	...	...	...	...	13	...	13	...	...	...	...	...
	Ditto ... Municipality ...	14	...	14	18	...	...	...	...	...	18	...	18	...	...	...	...	...
	Ditto ... Court of Wards,	41	...	41	41	...	28	...	...	...	13	...	13	...	...	...	...	...
	Bánda ... Government ...	30	...	30	29	...	...	...	...	...	29	...	29	...	...	...	...	...
	Ditto ... Municipality ...	20	...	20	98	...	...	...	...	...	98	...	98	...	...	...	...	...
	Hamirpur ... Government ...	453	...	453	658	2	658	2	...	...	...	...	...	...	...	...	...	...
	Allahabad ... Government ...	1,305	98	1,403	41	...	7	...	...	...	34	...	34	...	...	...	...	...
	Ditto ... Municipality ...	34	346	380	627	27	...	...	...	...	627	27	627	27	...	...	...	...
	Ditto ... Court of Wards,	280	2,395	2,675	99	1	39	1	...	...	60	...	52	...	...	...	8	...
	Jaunpur ... Municipality ...	13	6	19	8	...	8	...	...	...	...	...	...	...	...	...	...	...
	Ditto ... Court of Wards,	991	5	996	790	...	774	...	...	...	16	...	16	...	...	...	...	...
	Total ... Government ...	1,816	98	1,914	741	2	665	2	...	...	76	...	76	...	...	...	...	...
	Total ... Municipality ...	241	377	618	974	27	222	...	...	...	752	27	752	27	...	...	...	...
	Total ... Court of Wards,	1,315	2,400	3,715	930	1	841	1	...	...	89	...	81	...	...	...	8	...

APPENDIX VII.

Statement showing the cost of litigation during the year ending 30th September, 1881—(concluded).

Division.	District and class of suit.	Costs disbursed.			Costs awarded during the year in favor of the state.		Recovered.		Remitted.		Balance		Analysis of Balance.					
													Recoverable.		Irrecoverable.		Doubtful.	
		In prosecution and defence of suits and of applications.	On account of opponents' costs.	Total.	Principal.	Interest.	Principal.	Interest.	Principal.	Interest.	Principal.	Interest.	Principal.	Interest.	Principal.	Interest.	Principal.	Interest.
1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19
		Rs.	Rs.	Rs.		Rs.		Rs.		Rs.		Rs.		Rs.		Rs.		Rs.
Benares,	Azamgarh ... Court of Wards,	18	...	18	29	...	29	...	...	...	...	...	...	...	...	...	...	...
	Mirzapur ... Government ...	5	...	5	8	...	...	...	...	...	8	...	8	...	...	...	...	...
	Ditto ... Court of Wards,	43	...	43	21	...	...	...	...	...	21	...	21	...	...	...	...	...
	Benares ... Government ...	53	...	53	53	...	53	...	...	...	...	...	...	...	...	...	...	...
	Ditto ... Municipality ...	9	...	9	9	...	...	...	...	...	9	...	9	...	...	...	...	...
	Ditto ... Court of Wards,	1	...	1	1	...	...	...	...	...	1	...	1	...	...	...	...	...
	Ghâzipur ... Court of Wards,	463	...	463	20	...	...	...	...	...	20	...	20	...	...	...	...	...
	Gorakhpur ... Government ...	9	...	9	...	...	...	...	...	...	...	...	...	...	...	...	...	...
	Ditto ... Court of Wards,	588	66	654	627	...	32	...	...	...	595	...	595	...	...	...	...	...
	Basti ... Government ...	40	...	40	40	...	...	...	...	...	40	...	...	...	40	...	...	...
	Ditto ... Court of Wards,	107	...	107	...	...	...	...	...	...	...	...	...	...	...	...	...	...
	Ballia ... Government ..	711	...	711	133	...	...	...	...	...	133	...	133	...	...	...	...	...
	Ditto ... Court of Wards,	2,408	...	2,408	1,010	...	...	...	...	...	1,010	...	1,010	...	...	...	...	...
	Total ... Government ...	818	...	818	234	...	53	...	...	...	181	...	141	...	40	...	...	...
	Total ... Municipality ...	9	..	9	9	...	...	...	...	...	9	...	9	...	...	...	...	...
	Total ... Court of Wards,	3,628	66	3,694	1,708	...	61	...	...	...	1,647	...	1,647	...	...	...	...	...
Ánsi ...	Jalaun ... Government ...	18	...	18	21	...	...	...	...	...	21	...	21	...	...	...	...	...
	Provincial Total, N.-W. P. Government ...	3,460	143	3,603	1,284	11	804	3	1	.	479	8	285	1	46	...	143	7
	Provincial Total, N.-W. P. Municipality ...	327	400	727	1,028	27	229	...	...	...	799	27	791	27	...	...	8	...
	Provincial Total, N.-W. P. Court of Wards,	14,427	5,282	19,709	6,316	2	977	1	19	...	5,320	1	5,048	1	145	...	127	...
	Oudh.																	
Lucknow,	Lucknow ... Government ...	1,962	...	1,962	64	...	38	...	...	...	26	...	18	...	...	...	8	...
	Total ... Government ...	1,962	...	1,962	64	...	38	...	...	...	26	...	18	...	...	...	8	...
Sitapur,	Kheri ... Government ...	3,127	...	3,127	...	...	...	...	...	...	...	...	...	...	...	...	...	...
	Total ... Government ...	3,127	..	3,127	...	...	...	...	...	...	...	...	...	...	...	..	.	...
Fyzabad,	Fyzabad ... Government ...	36	...	36	32	...	12	...	...	...	20	...	20	...	..	...	...	...
	Ditto ... Municipality ...	59	...	59	43	...	36	...	...	...	7	...	7	...	...	...	...	...
	Total ... Government ...	36	...	36	32	...	12	...	...	...	20	...	20	...	...	...	...	...
	Total ... Municipality ...	59	...	59	43	...	36	...	...	...	7	...	7	...	...	...	...	...
Rae Bareli.	Partabgarh ... Government ...	18	...	18	...	...	...	...	...	...	...	...	...	...	...	...	...	...
	Total ... Government ...	18	...	18	...	...	...	...	...	...	...	...	...	...	...	...	...	...
	Provincial Total, Oudh. Government ...	5,143	...	5,143	96	...	50	...	...	...	46	...	38	...	...	...	8	...
	Provincial Total, Oudh. Municipality ...	59	...	59	43	...	36	...	...	...	7	...	7	...	...	...	...	...
	Grand Total ... Government ...	8,603	143	8,746	1,380	11	854	3	1	...	525	8	323	1	46	...	156	7
	Grand Total ... Municipality ...	386	400	786	1,071	27	265	...	...	...	806	27	798	27	...	...	8	...
	Grand Total ... Court of Wards,	14,427	5,282	19,709	6,316	2	977	1	19	...	5,320	1	5,048	1	145	...	127	...

APPENDIX VIII.

Statement showing the progress made during 1883-84, *in realizing the amount of outstandings due to the State at the close of the year* 1882-83, *on account of claims decreed by the Courts in its favor.*

Division.	District and class of suit.	Outstandings on the 1st October, 1883.		Recovered		Remitted.		Balance.		Analysis of Balance.					
										Recoverable.		Irreconverable		Doubtful	
		Principal	Interest.	Principal.	Interest.	Principal.	Interest.	Principal.	Interest.	Principal.	Interest.	Principal.	Interest.	Principal	Interest.
1.	2.	3.	4.	5.	6.	7.	8	9.	10	11.	12.	13.	14.	15.	16.
		Rs.	Rs.	Rs.	Rs.	Rs	Rs.	Rs.	Rs.	Rs.	Rs.	Rs.	Rs.	Rs.	Rs.
MEERUT.	Dehra Dún ... Government ...	425	...	...	...	...	...	425	...	...	...	425	...	...	...
	Sahéranpur ... Government ...	10,093	...	97	...	...	...	9,996	...	9,996	...	...	...	...	...
	Sahéranpur ... Municipality ...	770	...	...	...	...	...	770	...	770	...	...	...	...	...
	Meerut ... Government ...	371	...	...	...	...	...	371	...	...	...	371	...	...	...
	Meerut ... Municipality ...	40	...	...	...	...	...	40	...	40	...	...	...	...	...
	Aligarh ... Government ...	575	119	...	...	...	...	575	119	...	...	...	...	575	119
	Total ... Government ...	11,464	119	97	...	...	...	11,367	119	9,996	...	796	...	575	119
	Total ... Municipality ...	810	...	...	...	...	...	810	...	810	...	...	...	...	...
	Total ... Court of Wards ...	...	...	...	...	...	...	...	...	...	...	...	...	...	...
AGRA.	Muthra ... Court of Wards ...	24,368	...	3,519	...	...	...	20,849	...	20,849	...	...	...	...	...
	Agra .. Government ...	303	3	32	2	271	...	...	1	...	...	...	1	...	...
	Farukhabad ... Court of Wards ...	103	5	...	...	103	5	...	...	...	...	...	...	...	...
	Etáwah ... Court of Wards ...	59	1	2	...	57	1	...	...	...	...	...	...	...	...
	Etáh ... Municipality ...	31	...	7	...	...	...	24	...	24	...	...	...	...	...
	Total ... Government ...	303	3	32	2	271	...	...	1	...	...	...	1	...	...
	Total ... Municipality ...	31	...	7	...	...	...	24	...	24	...	...	...	...	...
	Total ... Court of Wards ...	24,530	6	3,521	...	160	6	20,849	...	20,849	...	...	...	...	...
ROHILKHAND.	Bijnor ... Court of Wards ...	5,256	144	504	22	...	...	4 752	122	2,058	...	2,694	122	...	...
	Moradabad ... Government ...	4,805	855	36	106	...	...	4 769	749	1,830	203	...	...	2,939	546
	Moradabad ... Court of Wards ...	7,638	1,880	485	84	6,210	1,367	943	429	943	429	...	...	...	...
	Budaun ... Court of Wards ...	263	...	46	...	91	...	126	...	48	...	51	...	27	...
	Bareilly ... Government ...	16,731	...	...	...	...	...	16,731	...	16,731	...	...	...	...	...
	Bareilly ... Court of Wards ...	750	...	...	...	...	...	750	...	750	...	...	...	...	...
	Shéhjahénpur ... Court of Wards ...	6,441	...	177	...	2,717	...	3,547	...	3,547	...	...	...	...	...
	Total ... Government ...	21,536	855	36	106	...	...	21,500	749	18,561	203	...	...	2,939	546
	Total ... Municipality ...	...	...	...	...	...	...	...	...	...	...	...	...	...	...
	Total ... Court of Wards ...	20,348	2,024	1,212	106	9,018	1,367	10,118	551	7,346	429	2,745	122	27	...
ALLÁHABAD.	Cawnpore ... Municipality ...	5	...	5	...	...	...	...	...	...	...	...	...	...	...
	Cawnpore ... Court of Wards ...	199	...	199	...	.	..	..	...	...	...	...	...	...	...
	Fatehpur ... Court of Wards ...	818	155	169	71	390	60	259	46	259	46	...	...	...	...
	Hamírpur ... Government ...	1,842	264	1,842	264	...	...	...	..	...	...	...	..	...	...
	Allahabad ... Government ...	818	143	...	...	...	...	818	143	...	...	...	...	818	143
	Allahabad ... Court of Wards ...	11,800	22,583	72	123	844	229	10,884	22,231	581	18	...	...	10,303	22,213
	Jaunpur ... Court of Wards ...	2,399	...	66	...	772	...	1,561	...	1,038	...	124	...	399	...
	Total ... Government ...	2,660	407	1,842	264	...	...	818	143	...	...	...	...	818	143
	Total ... Municipality ...	5	...	5	...	...	...	.	..	...	..	...	..	..	...
	Total ... Court of Wards ...	15,216	22,738	506	194	2,006	289	12,704	22,277	1,878	64	124	...	10,702	22,213
BENARES.	Azamgarh ... Court of Wards ...	1,666	...	...	...	...	...	1,666	...	200	...	1,466	...	...	...
	Mirzapur ... Court of Wards ...	2,218	502	...	...	737	212	1,481	290	1,481	290	...	...	...	...
	Gorakhpur ... Government ...	694	...	7	...	687	...	...	...	...	...	...	...	...	...
	Gorakhpur ... Court of Wards ...	1,997	...	769	...	153	...	1,075	...	1,075	...	...	...	...	...
	Total ... Government ...	694	...	7	...	687	...	..	..	...	...	...	...	...	...
	Total ... Municipality ...	...	..	...	...	...	...	...	...	...	...	...	...	...	...
	Total ... Court of Wards ...	5,881	502	769	...	890	212	4,222	290	2,756	290	1,466	...	...	...
	Provincial Total, N.-W. P. Government ...	36,057	1,384	2,614	372	958	...	33,685	1,012	28,557	203	796	1	4,332	808
	Provincial Total, N.-W. P. Municipality ...	846	...	12	...	...	...	834	...	834	...	..	...	...	...
	Provincial Total, N.-W. P. Court of Wards ...	65,975	25,270	6,008	300	12,074	1,874	47,893	23,118	32,829	783	4,335	122	10,729	22,213
	OUDH.														
LUCKNOW.	Lucknow ... Government ...	19,039	2,709	143	25	...	...	18 896	2,684	18,100	2 542	11	...	785	142
	Bara Banki . Government ...	3,325	432	1,000	169	...	...	2 325	263	2,325	263	...	...	...	...
	Total ... Government ...	22,364	3,141	1,143	194	...	...	21,221	2,947	20,425	2,805	11	...	785	142
FYZABAD.	Fyzabad ... Government ...	40	...	30	...	...	...	10	..	10	...	..	...	...	...
	Total ... Government ...	40	...	30	...	...	...	10	...	10	...	...	...	...	...
	Provincial Total, Oudh. Government ...	22,404	3,141	1,173	194	...	...	21,231	2,947	20,435	2,805	11	...	785	142
	Grand Total ... Government ...	59,061	4,525	3,187	566	958	...	54,916	3,959	48,992	3,008	807	1	5,117	950
	Grand Total ... Municipality ...	846	..	12	...	...	...	834	.	834	...	...	..	...	...
	Grand Total ... Court of Wards ...	65,975	25,270	6,008	300	12,074	1,874	47,893	23,118	32,829	783	4,335	122	10,729	32,221

APPENDIX IX.

Statement showing the progress made during 1883-84 in realizing the amount of Outstandings due to the State at the close of the year 1882-83, on account of costs decreed by the Courts in its favor.

Division.	District and class of Suits.	Outstandings on the 1st October, 1883.		Recovered.		Remitted.		Balance.		Analysis of Balance. Recoverable.		Irrecoverable.		Doubtful.	
		Principal.	Interest.	Principal.	Interest.	Principal.	Interest.	Principal.	Interest.	Principal.	Interest.	Principal.	Interest.	Principal.	Interest.
1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16
		Rs.	Rs.	Rs.	Rs.	Rs.	Rs.	Rs.	Rs.	Rs.	Rs.	Rs.	Rs.	Rs.	Rs.
MEERUT	Dehra Dún ... Government	44	...	...	...	...	...	44	...	...	...	44	...	...	...
	Sahárunpur ... Government	1,077	...	99	...	...	...	978	...	978	...	...	...	...	...
	Sahárunpur ... Municipality	41	...	...	...	...	...	41	...	41	...	...	...	...	...
	Muzaffarnagar ... Court of Wards	1,168	...	447	...	...	...	721	...	...	...	...	...	721	...
	Meerut ... Government	9	...	9	...	...	...	...	...	...	...	...	...	...	...
	Meerut ... Municipality	8	...	...	...	...	...	8	...	8	...	...	...	...	...
	Bulandshahr ... Government	37	1	37	1	...	...	...	...	...	...	...	...	...	...
	Bulandshahr ... Court of Wards	759	...	...	...	...	...	759	...	759	...	...	...	...	...
	Aligarh ... Government	146	69	85	...	...	...	61	69	...	...	...	...	61	69
	Total ... Government	1,318	70	230	1	...	...	1,088	69	978	...	44	...	61	69
	Total ... Municipality	49	...	...	...	...	...	49	...	49	...	...	...	...	...
	Total ... Court of Wards	1,927	...	447	...	...	...	1,480	...	759	...	...	...	721	...
AGRA	Muttra ... Court of Wards	187	...	...	...	...	...	187	...	187	...	...	...	...	...
	Agra ... Government	143	...	6	...	137	...	...	...	...	...	...	...	...	...
	Farukhabad ... Government	1	...	1	...	...	...	...	...	...	...	...	...	...	...
	Farukhabad ... Court of Wards	408	...	60	...	21	...	327	...	327	...	...	...	...	...
	Mainpuri ... Court of Wards	77	4	26	...	47	4	4	...	...	...	4	...	...	...
	Etawah ... Court of Wards	16	...	4	...	12	...	...	...	...	...	...	...	...	...
	Etah ... Municipality	14	...	...	...	...	...	14	...	14	...	...	...	...	...
	Total ... Government	144	...	7	...	137	...	...	...	...	...	...	...	...	...
	Total ... Municipality	14	...	...	...	...	...	14	...	14	...	...	...	...	...
	Total ... Court of Wards	688	4	90	...	80	4	518	...	514	...	4	...	...	...
ROHILKHAND	Bijnor ... Court of Wards	929	...	104	...	...	...	825	...	430	...	395	...	...	...
	Moradabad ... Government	1,681	247	227	...	11	...	1,443	247	1,100	210	...	...	343	37
	Moradabad ... Court of Wards	1,857	408	513	43	30	149	1,314	216	1,314	216	...	...	...	...
	Budaon ... Court of Wards	126	2	44	2	23	...	59	...	30	...	12	...	8	...
	Bareilly ... Government	1,314	...	5	...	...	...	1,309	...	1,309	...	...	...	...	...
	Bareilly ... Municipality	47	...	47	...	...	...	...	...	...	...	...	...	...	...
	Bareilly ... Court of Wards	260	...	109	...	...	...	151	...	151	...	...	...	...	...
	Sháhjahánpur ... Court of Wards	3,029	...	166	...	738	...	2,125	...	2,125	...	...	...	...	...
	Total ... Government	2,995	247	232	...	11	...	2,752	247	2,409	210	...	...	343	37
	Total ... Municipality	47	...	47	...	...	...	...	...	...	...	...	...	...	...
	Total ... Court of Wards	6,201	410	986	45	791	149	4,474	216	4,059	216	407	...	8	...
ALLAHABAD	Cawnpore ... Municipality	15	...	15	...	...	...	...	...	...	...	...	...	...	...
	Cawnpore ... Court of Wards	41	...	41	...	...	...	...	...	...	...	...	...	...	...
	Fatehpur ... Court of Wards	88	5	41	...	36	5	11	...	11	...	...	...	...	...
	Hamírpur ... Government	435	69	435	69	...	...	...	...	...	...	...	...	...	...
	Allahabad ... Government	1,284	20	893	...	...	...	341	20	184	...	...	...	157	2
	Allahabad ... Municipality	7	...	...	...	7	...	...	...	...	...	...	...	...	...
	Allahabad ... Court of Wards	7,567	...	339	...	164	...	7,064	...	85	...	...	...	6,979	
	Jaunpur ... Municipality	3	...	3	...	...	...	...	...	...	...	...	...	...	...
	Jaunpur ... Court of Wards	1,211	...	932	...	...	...	279	...	215	...	...	...	64	...
	Total ... Government	1,669	89	1,328	69	...	...	341	20	184	...	...	...	157	20
	Total ... Municipality	25	...	18	...	7	...	...	...	...	...	...	...	...	...
	Total ... Court of Wards	8,907	5	1,353	...	200	5	7,354	...	311	...	...	...	7 048	...
BENARES	Azamgarh ... Court of Wards	201	...	...	...	...	...	201	...	...	...	201	...	...	...
	Mirzápur ... Court of Wards	303	35	...	...	45	9	258	26	258	26	...	...	...	...
	Benares ... Government	663	...	650	...	...	...	13	...	...	...	13	...	...	...
	Benares ... Municipality	29	...	7	...	...	...	22	...	22	...	...	...	...	...
	Benares ... Court of Wards	747	...	...	...	...	...	747	...	...	...	...	...	747	...
	Gházipur ... Court of Wards	1,081	...	774	...	...	...	307	...	58	...	249	...	...	...
	Gorakhpur ... Government	119	...	119	...	...	...	...	...	...	...	...	...	...	...
	Gorakhpur ... Court of Wards	1,106	...	161	...	719	...	226	...	226	...	...	...	...	...
	Ballia ... Government	1,343	...	...	...	...	...	1,343	...	1,343	...	...	...	...	...
	Ballia ... Court of Wards	6,544	...	6,265	...	...	...	279	...	279	...	...	...	...	
	Total ... Government	2,125	...	769	...	...	...	1,356	...	1,343	...	13	...	...	...
	Total ... Municipality	29	...	7	...	...	...	22	...	22	...	...	...	...	...
	Total ... Court of Wards	9,982	35	7,200	...	764	9	2 018	26	821	26	450	...	747	...
JHÁNSI	Jalaun ... Government	11	...	...	...	...	...	11	...	11	...	...	...	...	...
	Total ... Government	11	...	...	...	...	...	11	...	11	...	...	...	...	...
	Provincial Total, N.-W. Provinces. Government	8,257	406	2,566	70	148	...	5,543	336	4,925	210	57	...	561	126
	Provincial Total, N.-W. Provinces. Municipality	164	...	72	...	7	...	85	...	85	...	...	...	...	...
	Provincial Total, N.-W. Provinces. Court of Wards	27,705	454	10,026	45	1,835	167	15,844	242	6,464	242	861	...	8,519	...
	OUDH.														
LUCKNOW	Lucknow ... Government	2,089	192	724	...	...	...	1,365	192	1,293	182	8	...	64	10
	Total ... Government	2,089	192	724	...	...	...	1,365	192	1,293	182	8	...	64	10
FYZABAD	Fyzabad ... Government	29	...	5	...	...	...	24	...	24	...	...	...	...	...
	Total ... Government	29	...	5	...	...	...	24	...	24	...	...	...	...	...
RAE BARELI	Rae Bareli ... Municipality	20	...	...	...	20	...	...	...	...	...	...	...	...	...
	Total ... Municipality	20	...	...	...	20	...	...	...	...	...	...	...	...	...
	Provincial Total, Oudh Government	2,118	192	729	...	...	...	1,389	192	1,317	182	8	...	64	10
	Provincial Total, Oudh Municipality	20	...	...	...	20	...	...	...	...	...	...	...	...	...
	GRAND TOTAL ... Government	10,375	598	3,295	70	148	...	6,932	528	6,242	392	65	...	625	136
	GRAND TOTAL ... Municipality	184	...	72	...	27	...	85	...	85	...	...	...	...	...
	GRAND TOTAL ... Court of Wards	27,705	454	10,026	45	1,835	167	15,844	242	6,464	242	861	...	8,519	...

APPENDIX X.

Statement showing the progress made during the year ending 30th September, 1884, in realizing Government dues in Pauper Suits in the North-Western Provinces and Oudh.

Division.	District.	Outstanding on the 1st October, 1883.	Lines for the year under report.	Total.	Recovered.	Expunged.	Total of columns 6 and 7.	Balance.	Remarks.
1	2	3	4	5	6	7	8	9	10
MEERUT	Sahâranpur	2,158	658	2,816	524	389	913	1,903	Measures in progress for realization of this balance.
	Muzaffarnagar	1,120	951	2,071	907	9	916	1,155	
	Meerut	4	1,617	1,621	507	656	1,163	458	
	Bulandshahr	100	275	375	...	100	100	275	Government Pleader, Meerut, was asked to execute the decree on August 14, 1884.
	Aligarh	102	1,144	1,246	111	395	506	740	
	Total	3,484	4,645	8,129	2,049	1,549	3,598	4,531	
AGRÂ	Muttra	490	820	1,310	552	758	1,310	...	
	Agra	678	1,131	1,809	269	733	1,002	807	
	Farukhabad	1,251	884	2,135	418	267	685	1,450	
	Mainpuri	...	54	54	54	...	54	...	
	Etáwah	1,032	103	1,135	118	1,017	1,135	...	
	Etah	...	118	118	...	...	...	118	Rs. 8-12-0 have since been realized.
	Total	3,451	3,110	6,561	1,411	2,775	4,186	2,375	
ROHILKHAND	Bijnor	...	83	83	...	...	...	83	Rs. 60-4-0 recovered from sale proceeds of judgment-debtor's property is held in deposit in Civil Court, and orders to obtain the sums due have been issued to Government Pleader. The other case involving a sum of Rs. 32-8-0 is a new one, instituted 9th June, 1884.
	Moradabad	359	849	1,208	266	481	747	461	For Rs. 228 execution proceedings pending. For Rs. 233 measures for recovery in progress.
	Budaon	...	26	26	20	6	26	...	
	Bareilly	1,505	174	1,679	12	162	174	1,505	Pending result of appeal. Is due from Miss. Berkley.
	Shâhjahânpur	787	1,042	1,829	240	928	1,168	661	Rs. 584 are due from Ahmad Ali, and Rs. 77 from Musammat Naimat Jahân. In the former, report of the balance being irrecoverable was made to Commissioner, but it has been returned for further enquiry.
	Pilibhît	74	218	292	140	152	292	...	In the latter measure for recovery in progress.
	Total	2,725	2,392	5,117	675	1,729	2,407	2,710	
ALLAHABAD	Cawnpore	1,444	2,183	3,627	445	1,340	1,785	1,842	Of this sum Rs. 974-4-0 are recoverable, and measures for its realization are in progress. As to the remainder enquiries are being made if the persons owing them have any property. If they have none this balance will be remitted.
	Fatehpur	146	14	160	143	4	147	13	
	Bânda	105	...	105	...	105	105	...	
	Hamirpur	13	17	30	30	...	30	...	
	Allahabad	...	2,154	2,154	95	1,919	2,014	140	
	Jaunpur	3,337	1,154	4,491	573	1,731	2,304	2,187	Of this sum Rs. 232 are pending result of appeal. The remainder is in train of liquidation.
	Total	5,045	5,522	10,567	1,286	5,099	6,385	4,182	
BENARES	Azamgarh	66	287	353	52	...	52	301	Of this sum Rs. 20 were realized in October. For the recovery of the remainder measures are in progress.
	Mirzapur	1,457	1,316	2,773	415	1,012	1,427	1,346	Of this sum Rs. 235 are realizable by instalments. For the remainder orders have been issued to realize by sale of property.
	Benares	1,274	3,384	4,658	1,421	255	1,676	2,982	Of this balance Rs. 702 due from Bechuram are pending result of appeal in the High Court. Recovery of Rs. 276 is hopeless. Rs. 1,881 are due in three cases which are recently instituted. Rs. 98-2-0 due on account of costs, and has just been written off.
	Ghâzipur	24	316	340	25	28	53	287	
	Gorakhpur	1,049	1,104	2,153	956	768	1,724	429	
	Basti	49	75	124	...	64	64	60	
	Ballia	197	326	523	18	...	18	505	
	Total	4,116	6,808	10,924	2,887	2,127	5,014	5,910	
JHÂNSI	Jhânsi	426	771	1,197	240	640	880	317	Measures for the recovery of this balance are in progress.
	Jalaun	70	20	90	74	16	90	...	
	Lalitpur	...	138	138	20	...	20	118	Of this balance Rs. 76 have since been realized.
	Total	496	929	1,425	334	656	990	435	
	Provl. Total, N.-W. P. & O.	20,317	23,406	42,723	8,642	13,935	22,580	20,143	a This excess over balance shown last year is due to a sum of Rs. 44 considered irrecoverable by Collector of Gorakhpur and expunged. It has since been recovered.

APPENDIX X.

Statement showing the progress made during the year ending 30th September, 1844, in realizing Government dues in Pauper Suits in the North-Western Provinces and Oudh.

Division.	District.	Outstanding on the 1st October, 1843.	Dues for the year under report.	Total.	Recovered.	Expunged.	Total of columns 6 and 7.	Balance.	Remarks.
1	2	3	4	5	6	7	8	9	10
	OUDH.								
LUCKNOW ...	Lucknow ...	1,637	871	2,508	1,565	843	2,408	100	Of this balance a sum of Rs. 60 is due from Sobhwon Singh. Government Pleader is asked to proceed against his moveable property in satisfaction of this claim. For the remaining sum of Rs. 40 Government Pleader is asked to apply for attachment of the decree obtained by Matadin who owes it.
	Unao ...	887	109	996	93	...	93	903	Rs. 382 out of this balance irrecoverable. Decree being executed for the remaining sum.
	Bara Banki ...	...	5	5	...	...	...	5	
	Total ...	2,524	985	3,509	1,658	843	2,501	1,008	
SITAPUR ...	Sitapur ...	612	1,597	2,209	481	1,256	1,737	472	Out of this a sum of Rs. 70 has been transferred to the Lucknow district for execution. Of the balance left Rs. 102 have since been realized; Rs. 38 have been erased, and the remaining sum of Rs. 260 is under realization.
	Hardoi ...	296	3	299	299	...	299	...	
	Kheri ...	280	29	309	309	...	309	...	
	Total ...	1,188	1,629	2,817	1,089	1,256	2,345	472	
FYZABAD ...	Fyzabad ...	310	329	639	301	156	457	182	Of this balance for recovery of Rs. 106 sale of immoveables will be held on 20th November, 1844. A sum of Rs. 13 realized, and of Rs. 26 remitted since.
	Gonda ...	261	178	439	17	254	271	168	Inquiry is on foot as to whether the pauper has got any immoveable property.
	Total ...	571	507	1,078	318	410	728	350	
RAE BAREILL...	Rae Bareli ...	268	240	508	127	56	183	325	Of this balance Rs. 217 have been since realized. For recovery of Rs. 61 steps are being taken. Rs. 37 appear to be irrecoverable. Deputy Commissioner is asked to report.
	Sultanpur ...	5	65	70	9	61	70	...	
	Partábgarh ...	707	30	737	654	34	688	49	Steps are being taken to have the decree executed.
	Total ...	980	335	1,315	790	151	941	374	
	Provl. Total, Oudh,	5,263	3,456	8,719	3,855	2,660	6,515	2,204	
	GRAND TOTAL ...	24,582	26,862	51,444	12,500	16,596	29,096	22,348	

ORDERS OF GOVERNMENT.

No. $\frac{842}{\text{VII}-24\text{-}4}$ OF 1885.

FROM

THE SECY. TO GOVT., N.-W. P. AND OUDH,

JUDICIAL DEPARTMENT,

To

THE LEGAL REMEMBRANCER TO GOVERNMENT,

N.-W. PROVINCES AND OUDH

DATED NAINI TAL, THE 26TH AUGUST, 1885.

SIR,

JUDICIAL DEPARTMENT. (CIVIL.)

I AM directed to acknowledge the receipt of your No. 362, dated 22nd July, 1885, being your report for the year ending 30th September, 1884.

2. The report, which is due on the 1st January, was not received this year till the 27th of July. The delay was to a considerable extent unavoidable in consequence of the revision of the system under which the litigation of the Government is conducted.

3. The suits to which the Government was a party brought before the courts during the year under report and the year preceding were as follows:—

	1882-83.	1883-84.
Suits in courts of first instance	190	147
Regular appeals	49	42
Special appeals	28	15
Total ...	267	204

In 1883-84 the State was plaintiff or appellant in 73 cases, and defendant or respondent in 131 cases. The total number of cases decided during the year was 124, of which the State won 93 and lost 31; the percentage of success being 75, as compared with 85 in 1882-83. The results of the litigation of 1882-83 were, however, exceptionally good, and you mention that the average percentage of success is about the same as in preceding years.

4. In the courts of first instance the State was fairly successful in the litigation in which it engaged as plaintiff. The amount and value of this litigation is shown below:—

	No. of cases for disposal.	*Value of claims.*
		Rs.
Government ...	19	28,715
Municipalities ...	6	6,166
Court of Wards ...	39	85,684
Total ...	64	1,20,565

Of the 64 cases for disposal 49 were decided in favour of the State and eight against it, while seven remained pending. The percentage of success on decided cases was 86—a good proportion, though inferior to

that of the preceding year. The Court of Wards was less successful in its litigation, having lost seven cases out of 36 decided. Of the Rs. 1,20,565 claimed by the State, the sum of Rs. 42,514 was decreed in its favour, while claims to the amount of Rs. 48,625 were dismissed. This unsatisfactory result was principally due to the dismissal of a suit brought by the Sahanpur estate for the redemption of nine villages, valued at Rs. 41,045. In this case it was found by the Judge that the papers on which the claim was based were forgeries, and the Court of Wards was satisfied that no appeal could be made with any chance of success. Some explanation should have been given of the failure to make this discovery before the commencement of the litigation. There are cases in which the Government, more especially as the representative of a ward, is bound to bring into court suits in which it cannot claim an unhesitating decision in its favour; but it should be a general rule that Government be not embarked in litigation, except when its title is very clear, and that in no circumstances should a defendant be put into court until he has been made acquainted with the terms of the Government claim and his answers and objections have been patiently considered. It is difficult to suppose that in the Sahanpur case, had this been done, the estate would have been involved in a fruitless and expensive suit, and there is evidence that the suits deliberately instituted on the part of Government have not always received that careful preliminary examination which the interests and the reputation of Government as a plaintiff require. In 1882-83 the State lost 32 cases in which it was plaintiff; appeals if taken from these cases would presumably be decided in 1883-84; in that year five regular appeals were decided in which the State was appellant. In the absence of explanation the inference may be drawn that in a large proportion of the suits lost by Government there had been inadequate inquiry as to the basis of the case before institution of proceedings.

5. The litigation against the State in courts of first instance was as follows:—

		No. of suits for disposal.	*Value of claim.* Rs.
Government	...	36	49,914
Municipalities	...	15	3,145
Court of Wards	...	32	25,15,152
Total	...	83	25,68,211

Of the 83 suits for disposal, 57 were decided during the year, 41 in favour of and 16 against the State; the percentage of successful defence in the decided cases being only 72. The amount decreed against the Government, however, was only Rs. 8,901, an inconsiderable sum compared with the amount claimed. Some detailed explanation should have been given of the reasons of failure in the cases decided against Government. It may be that they were cases in which the State was put into court without warning and in which confession of judgment had to be made.

6. In the courts of regular appeal five cases were decided in which the State was appellant, and 24 in which it was respondent. Of the former, the State lost one case, and of the latter five cases. There was no suit of high value decided in appeal during the year, but the financial results of the cases decreed were not satisfactory. The total amount decreed in favour of the Government in regular appeal was Rs. 79, while the sum of Rs. 18,790 was decreed against it. The Court of Wards lost three out of nine cases, and the remarks in paragraphs 18 and 20 of your report show that much more care is needed in collecting and testing the information by which its conduct of its law-business has to be guided.

7. There was only one case specially appealed by the Government during the year, and it was not decided. There were 14 special appeals against the State, of which six were decided in its favour and two against it. The amount decreed against the State was over three lakhs, the Privy Council having decided against the Court of Wards the claim made by Rája Rup Singh for the possession of the Bhara estate in the Etáwah district. The claim had been dismissed by the Judge of Mainpuri and by the High Court, and the Court of Wards was amply justified in defending the special appeal.

8. The total amount, principal and interest, decreed in favour of the State during the year and the total amount recovered are shown below :—

	Decreed.	*Recovered.*
	Rs.	Rs.
Government	713	181
Municipalities	3,297	567
Court of Wards	5,640	189
Total ...	9,650	937

The whole of the balance is returned as "recoverable" with the exception of Rs. 30, which is "doubtful." The heaviest outstandings are in the Court of Wards' estates; apparently they consist of items which could all have been recovered (paragraph 51), but no explanation has been given as to why recovery was deferred.

9. The claims decreed against the State during the year amounted to Rs. 25,246, and the outstandings at the commencement of the year to Rs. 2,90,420. The whole of this amount has been paid with the exception of Rs. 45,041. Part of this has not been paid because appeals have been presented, and over Rs. 25,000 is due from a Court of Wards' estate that has no funds at its credit.

10. The total costs disbursed in conducting the litigation, the total costs awarded to the State by the courts, and the sums actually recovered are shown below :—

	Costs incurred.	Costs awarded.	Amounts recovered.
	Rs.	Rs.	Rs.
Government	8,746	1,391	857
Municipalities	786	1,098	265
Court of Wards...	19,709	6,318	978
Total ...	29,241	8,807	2,100

The sums recovered amount to about 7 per cent. of the total amount disbursed, and 23 per cent. of the amount decreed. With some small exceptions the whole of the balance is returned as "recoverable." The greater part of the balance is explained as having been left unrecovered pending the result of appeals.

11. The progress made in realising outstandings during the year is shown below :—

	Amount outstanding at the end of 1882-83		Total.	Amount recovered		Total.	Percentages of recovery.
	Claims.	Costs.		Claims	Costs.		
	Rs.	Rs.	Rs.	Rs	Rs	Rs	
Government ...	63,586	10,973	74,559	3,753	3,365	7,118	9·
Municipalities .	846	184	1,030	12	72	84	8·
Court of Wards	91,245	28 159	1 19,404	6,308	10,071	16,379	14
Total ...	1,55,677	39,316	1,94,993	10,073	13,508	23,581	12·

The results are not good, and with this branch of the law-business of the State under your special control, it is hoped that it may receive your very careful supervision and direction. The best recoveries are in the case of costs in Court of Wards' suits, where over a third of the amount due was realised. This result is principally due to the high proportion of recovery in the Ballia district.

12. In paragraph 71 of the report it is stated that the Board of Revenue remain responsible for the recovery of outstandings in Court of Wards' cases ; you have still, however, the duty of taking measures, in concert with the Board, to effect recovery where possible, or ascertaining the reasons that render recovery impossible.

13. The total dues on account of pauper suits were Rs. 51,444, the amount recovered was Rs. 12,500, and the amount remitted Rs. 16,596, leaving a balance of Rs. 22,348.

14. You propose to introduce some changes in the forms at present in use, and your suggestions are awaited. You have explained that in compiling the present report you have adhered as much as possible to the lines adopted on previous occasions; but it would add much to the clearness of the report if your account of the litigation of the year took the form of an examination in regular sequence of each of the prescribed statements. As the report is at present arranged, it is by no means easy to extract from it an explanation of the statistics in the appendices, and a number of apparent discrepancies have crept in which would have been avoided or explained by a more methodical arrangement. As examples of these I am to mention the following.—

(1) According to paragraph 18 the Court of Wards won 32 of the 39 cases in which it was plaintiff in courts of first instance. The correct number according to appendix I is 29.

(2) According to paragraph 34 the Court of Wards lost five suits brought by it as plaintiff, and valued at Rs. 45,808. From appendices I and IV, however, it appears that seven such cases valued at Rs. 48,625 were lost. The two cases unaccounted for are probably those referred to in paragraph 18 as having been compromised.

I have the honor to be,

SIR,

Your most obedient servant,

J. WOODBURN,

Secy. to Govt., N.-W. P. and Oudh.